



U.S. Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

MAY 23 2012

Grant F. Smith
Director of Research
Calvert Station
PO Box 32041
Washington, DC 20007

Re: Freedom of Information Act Request
Request No. 2012-072

Dear Mr. Smith:

This responds to your correspondence of May 1, 2012, received in the Office of the Pardon Attorney on May 8, 2012, requesting pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 *et seq.*, "a copy of all letters, emails, communications and correspondence related to Jonathan Jay Pollard's request for clemency filed since July 2011."

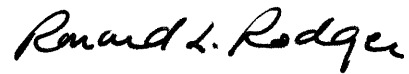
In response to your request, I am providing you with a total of approximately 41 pages of records which are responsive to your request. You will note that some of these pages contain partial redactions pursuant to Exemption 6 of FOIA, which limits the disclosure of information that could reasonably be expected to constitute an unwarranted invasion of an individual's personal privacy. Please note that the names of those individuals who corresponded with this office and were deemed publicly known individuals are being released; the names of those individuals determined to be private citizens were redacted, consistent with the intent of the aforementioned Exemption 6. This determination of whether to release the name and address of the correspondents was made without consideration as to their position on clemency for Mr. Pollard.

Thirty-two pages constituting inter- and intra-agency deliberative communications during the relevant time period of your request have been withheld in their entirety due to Exemption 5 of FOIA. Additionally, absent the specific, written authorization of Mr. Pollard and his attorneys, Eliot Lauer and Jacques Semmelman, Esquires, approximately 37 pages of correspondence between this office and said attorneys during the applicable time period have also been withheld from disclosure due to the aforementioned Exemptions 6.

Although I have provided you with copies of all records responsive to your request which can be released under FOIA, I must inform you that if you consider my response to be a denial of your request, you may appeal to the Co-Director, Office of Information Policy, Department of Justice, Suite 11050, 1425 New York Avenue, N.W, Washington, DC 20530-0001.

Your appeal must be received within 60 days from the date of this letter. Your envelope and letter should be clearly marked "Freedom of Information Act Appeal" or "Information Appeal." In the event your appeal is unsuccessful, judicial review will thereafter be available to you in the federal district court for the district in which you reside or have your principal place of business or in the District of Columbia, where the requested records are located.

Sincerely,

A handwritten signature in black ink that reads "Ronald L. Rodgers". The signature is written in a cursive style with a prominent initial 'R'.

Ronald L. Rodgers
Pardon Attorney

Enclosures



U.S. Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

JUL 28 2011

Rabbi Jan Caryl Kaufman
Director of Special Projects
The Rabbinical Assembly
3080 Broadway
New York, New York 10027

Dear Rabbi Kaufman:

This responds to your letter of July 7, 2011 to the Attorney General concerning executive clemency for Jonathon Pollard. Your letter is appreciated and we have made it and its enclosures part of Mr. Pollard's clemency file.

Mr. Pollard's application for commutation of sentence is under consideration. The processing time for an application for commutation of sentence can be lengthy, and we can give no assurance that final action will be taken by the President within a particular time frame. You may be assured, however, that Mr. Pollard's attorneys will be notified promptly when a final decision on his application has been reached.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney

208/614
row

RABBINICAL ASSEMBLY



כנסת הרבנים
EXECUTIVE SECRETARIAT

3080 Broadway New York, NY 10027 phone 212.280.6000 fax 212.749.9166 info@rabbinicalassembly.org www.rabbinicalassembly.org

2011 JUL 20 PM 12:19

*The International Association
of Conservative/Masorti Rabbis,
established 1901*

July 7, 2011

President
Rabbi Gilah Dror

Attorney General Eric Holder
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Executive Vice President
Rabbi Julie Schonfeld

Vice President
Rabbi Gerald C. Skolnik

Treasurer
Rabbi William G. Gershon

Dear Attorney General Holder,

Financial Secretary
Rabbi Philip S. Scheim

I write to you in your capacity as Attorney General of the United States on behalf of the Rabbinical Assembly, the international body of Conservative Rabbis, with over 1500 members representing 1.5 million Jews worldwide, director of Public Policy, Rabbi Jack Moline and director of Israel Policy and Advocacy, Rabbi Stuart Weinblatt.

Secretary
Rabbi Debra Newman Kamin

Associate Executive Director
Rabbi Elliot Salo Schoenberg

At our annual convention, held in March in Las Vegas, NV, the Rabbinical Assembly passed resolutions on a variety of issues which are enclosed.

Director of Special Projects
Rabbi Jan Caryl Kaufman

*Assistant Director
of Rabbinic Services*
Rabbi Ashira Y. Konigsburg

A resolution was passed regarding the critical issue of immigration reform. It is imperative that the United States government continue every effort to find a solution towards immigration reform. Though I understand the importance of effective enforcement of safety at our borders, it must not be the only solution towards dealing with this issue. Deportation cannot be the only solution and within the executive branch, action must be taken to implement immigration laws in a more humane and just manner.

Executive Vice Presidents Emeriti
Rabbi Joel H. Meyers
Rabbi Wolfe Kelman, שליט

Founding Editor
Rabbi Jules Harlow

We also passed a resolution advocating for the commutation of the sentence of Jonathan Pollard. After more than 25 years in prison, we respectfully ask you to consider commuting his sentence to time served. American Jews see the release of Pollard as a required basic step towards justice. Dozens of government officials recently publicly called on President Obama to free Pollard. These include former senior U.S. Middle East negotiator Dennis Ross, former CIA director James Woolsey, former Chairman of the Senate Intelligence Committee Dennis DeConcini, and Federal Judge Stephen Williams.

We appreciate your giving due consideration to our request and we thank you in advance in these serious matters.

Sincerely,

A handwritten signature in cursive script that reads "Jan Caryl Kaufman". The signature is written in black ink and is positioned below the word "Sincerely,".

Rabbi Jan Caryl Kaufman

RESOLUTION IN SUPPORT OF IMMIGRATION TO THE UNITED STATES

You too must befriend the stranger, for you were strangers in the land of Egypt. (Deuteronomy 10:19)

Whereas the Rabbinical Assembly has continuously and consistently advocated for the rights of immigrants in resolutions passed in 1992, 1995, 1997, 2003 and 2007, and the Rabbinical Assembly had distributed a High Holiday packet on the issue;

Whereas there is recognition of the need for appropriate border enforcement measures given legitimate security concerns and the interests of American citizens and workers;

Whereas many of the approximately 12 million undocumented individuals and their families currently residing in the United States are law abiding and taxpaying, live in fear due to workplace raids, harsh detentions and deportations brought about through state laws and legislation, which are often costly and destructive to states' economies; and

Whereas proposals have been put forward to deny citizenship to children of undocumented immigrants or those on temporary visas born in the United States thus subverting the intent of the Fourteenth Amendment to the Constitution.

Therefore be it resolved that the Rabbinical Assembly call upon the United States Congress to work towards comprehensive immigration reform in order to streamline our immigration system and deal with this problem in an effective and humane fashion;

Be it further resolved that the Rabbinical Assembly urge Congress to enact legislation to allow the children of the undocumented as well as foreign students studying here to become permanent residents on a path to citizenship and contribute their talents and skills to the civic and economic life of the United States; and

Be it further resolved that the Rabbinical Assembly reaffirm its support for faith groups and organizations working on behalf of the rights of undocumented immigrants and legal immigrants in keeping with Jewish values and teachings.

RESOLUTION ON THE COMMUTATION OF JONATHAN POLLARD'S SENTENCE

Whereas the Rabbinical Assembly has passed three resolutions (1992, 1994 and 1995) supporting clemency for Jonathan Pollard;

Whereas this past year marked twenty-five years of incarceration for Jonathan Pollard;

Whereas his sentence of life in prison abrogated the plea bargain with the federal prosecutor signed in June 1986, and now leaves Pollard serving a longer sentence than any other person convicted not of treason, but of the lesser crime of spying for a friendly nation;

Whereas Prime Minister Benjamin Netanyahu, in a letter to President Barack Obama dated January 4, 2011, issued the first official written request from the government of Israel for clemency, noting that "Both Mr. Pollard and the Government of Israel have repeatedly expressed remorse for these actions, and Israel will continue to abide by its commitment that such wrongful actions will never be repeated"; and

Whereas members of the United States Congress and former security officials have recently joined with leaders of American Jewish organizations to appeal to President Obama to commute Pollard's sentence to time served.

Therefore be it resolved that the Rabbinical Assembly urge President Obama to commute the sentence of Jonathan J. Pollard to time served;

Be it further resolved that the Rabbinical Assembly join with other organizations to attain clemency for Mr. Pollard; and

Be it further resolved that the Rabbinical Assembly urge any and all American Jewish organizations which have not publicly taken a stand in support of Jonathan Pollard to do so at this time.



U.S. Department of Justice

Office of the Pardon Attorney

b6

Washington, D.C. 20530

SEP - 8 2011

[REDACTED]
New Canaan, Connecticut 06840

Dear Mr [REDACTED]

This responds to your letter of August 15, 2011 to the Secretary of Defense, wherein you protest the consideration of a presidential pardon for Jonathon Pollard. Your views in this matter are appreciated, and your letter has been made part of Mr. Pollard's clemency file.

Mr. Pollard has submitted an application for commutation (reduction) of sentence, and it is under careful consideration. Due to his present incarceration, he is ineligible to be considered for a presidential pardon.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney

Rodgers, Ronald L. (OPATY)

b6

From: [REDACTED]
Sent: Wednesday, August 31, 2011 4:52 PM
To: Rodgers, Ronald L. (SMO)
Subject: RE: Pardon ICO Pollard
Attachments: POLLARD1.PDF
Signed By: [REDACTED]

Sir:

Please see attached letter from [REDACTED] re the pardon ICO Mr. Pollard. You will also be receiving a hard copy in the mail. Thank you.

V/R,
Mandy

[REDACTED]
Office of the Judge Advocate General
Criminal Law Division (Code 20)
Tele: [REDACTED]

-----Original Message-----
From: Rodgers, Ronald L. (SMO) [mailto:[REDACTED]]
Sent: Wednesday, August 31, 2011 13:37
To: [REDACTED]
Subject: RE: Pardon ICO Pollard

[REDACTED]

b5

You should feel free to forward the letter you mention to us for a reply; we get letters in favor of or against clemency for Mr. Pollard quite frequently. Let me know if you require any further information on Mr. Pollard. Sincerely, Ron Rodgers

-----Original Message-----
From: [REDACTED]
Sent: Wednesday, August 31, 2011 1:29 PM
To: Rodgers, Ronald L. (SMO)
Subject: Pardon ICO Pollard

Sir:

Are you aware of a pardon application ICO Jonathan Pollard (formerly US Navy)? I have a letter from a civilian protesting any consideration for a pardon for Mr. Pollard. Are you aware of any pardon request or pardon application for Mr. Pollard? Thank you in advance for any information.

[REDACTED]
Office of the Judge Advocate General

Criminal Law Division (Code 20)
[Redacted]
Tele: b6



DEPARTMENT OF THE NAVY
OFFICE OF THE JUDGE ADVOCATE GENERAL
CRIMINAL LAW DIVISION (CODE 20)
1254 CHARLES MORRIS STREET SE SUITE B01
WASHINGTON, DC 20374-5124

b6

IN REPLY REFER TO:
5800
Ser 20/669
31 Aug 11

Office of the Pardon Attorney
Attn: Ronald Rodgers
1425 New York Avenue, N.W.
Suite 11000
Washington, DC 20530

Dear Mr. Rodgers:

Our office recently received a letter protesting the consideration of a pardon for Mr. Jonathan Pollard. We have enclosed the letter for your consideration. If you have any questions, please contact [REDACTED].

Sincerely,

D. M. HARRISON
Captain, JAGC, U.S. Navy
Director, Criminal Law Division

Enclosure

Copy to: [REDACTED]

b6

[REDACTED]
New Canaan, CT 06840

August 15, 2011

The Honorable Leon E. Panetta
Secretary of Defense
1000 Defense Pentagon
Washington, D.C. 20301-1000

Re: NO pardon for Pollard!

Dear Mr. Secretary:

I am writing to urge you to do whatever you can to keep the convicted spy Jonathan Pollard in prison. I know that the President would not consider pardoning Pollard without asking your advice and that of the Secretary of the Navy.

While accepting a paycheck from the U.S. Navy, Pollard sold the Navy's secrets to a foreign government. Whether to an ally or not, once secrets are given out, they are no longer secrets and can be passed to third parties. I don't doubt his spying caused us enormous damage, and to allow Pollard to leave prison one day short of serving his full life sentence is to encourage other spies to betray our country in a similar fashion.

Pollard is a confessed and convicted traitor. I do hope you will implore the President to leave him in prison where he belongs. To do otherwise is to betray all the great people who serve faithfully in the U.S. military, as well as all Americans.

Sincerely,

[REDACTED]

While accepting a paycheck from the U.S. Navy, Pollard sold the Navy's secrets to a foreign government. Whether to an ally or not, once secrets are given out, they are no longer secrets and can be passed to third parties. I don't doubt his spying caused us enormous damage, and to allow Pollard to leave prison one day short of serving his full life sentence is to encourage other spies to betray our country in a similar fashion.

Pollard is a confessed and convicted traitor. I do hope you will implore the President to leave him in prison where he belongs. To do otherwise is to betray all the great people who serve faithfully in the U.S. military, as well as all Americans.

[REDACTED]

[REDACTED]



U.S. Department of Justice

Office of the Pardon Attorney

WH 08122011-40

Washington, D.C. 20530

AUG 25 2011

Steve Symms, Esquire
Parry, Romani, DeConcini & Symms
517 C Street, N.E.
Washington, DC 20002

Dear Senator Symms:

This responds to your letter to President Obama of June 8, 2011, in which you recommend executive clemency for Jonathan Pollard.

Mr. Pollard's clemency application was received in this office on October 15, 2010, and is being processed. You may be assured that the petition will be carefully considered and that Mr. Pollard will be notified when final action has been taken. Your letter will be included in Mr. Pollard's clemency file.

Thank you for your interest in this matter and for writing to the President.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney



STEVE SYMMS
United States Senator, Retired

Thomas D. Parry (1947-2001)

Romano Romani
Senator Dennis DeConcini, Ret.
Senator Steve Symms, Ret.
Edward H. Baxter
Michelle T. Magoon
James W. Rock
Thaddeus E. Strom

June 8, 2011

Parry, Romani, DeConcini & Symms

517 C Street, NE
Washington, DC 20002
202-547-4000
Fax 202-543-5044

ssymms@prdands.com
www.prdands.com

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President:

I respectfully write to request that you use your constitutional power to grant clemency to Jonathan Pollard for prison time already served.

As I am sure you are probably already aware, Mr. Pollard is currently serving his 25th year of a life sentence (seven of which were spent in solitary confinement) for espionage. His crimes were very serious and I, in no way condone his actions. However, I believe that the sentence he received was disproportionate to his crime. Mr. Pollard has fully complied with the terms of his plea agreement and has been, from all reports, a model prisoner. Unfortunately, the terms and spirit of the plea were completely ignored by the sentencing judge.

Many of my colleagues, prominent national figures and religious leaders from all faiths have publicly stated their support for Mr. Pollard's release. Perhaps most noteworthy, similar support has come from those who have seen the classified information pertaining to this case - former CIA Director James Woolsey, and my partner and former head of the Senate Intelligence Committee, Senator Dennis DeConcini.

After more than two decades in the harshest prison conditions, Mr. Pollard's health is declining. He has repeatedly expressed remorse for his actions and I believe commuting his sentence to time served would be a wholly appropriate exercise of your power of clemency - not to mention as a matter of basic compassion and fairness.

Thank you, Mr. President, for considering my request. I remain

Sincerely,

Steve Symms
United States Senator, Retired

SS:mm



U.S. Department of Justice

Office of the Pardon Attorney

WH 08122011-37

Washington, D.C. 20530

AUG 25 2011

Mr. Matt Salmon
Upstream Consulting
141 E. Palm Lane
Suite 105
Phoenix, AZ 85004

Dear Mr. Salmon:

This responds to your letter to President Obama of June 27, 2011, in which you recommend executive clemency for Jonathan Pollard.

Mr. Pollard's clemency application was received in this office on October 15, 2010, and is being processed. You may be assured that the petition will be carefully considered and that Mr. Pollard will be notified when final action has been taken. Your letter will be included in Mr. Pollard's clemency file.

Thank you for your interest in this matter and for writing to the President.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney

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MI Pollard



UPSTREAM CONSULTING

June 27, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Mr. President:

I join the calls from both sides of the political aisle in support of the commutation of Jonathan Pollard's sentence to time served.

Not only have I researched the facts associated with Jonathan Pollard's sentence, I had the opportunity to meet with Jonathan Pollard and heard directly from him his remorse for his actions. I am aware that he sent you a recent personal letter of remorse as well. It is well known that the average sentence for the crime that he committed is 2-4 years. Jonathan Pollard is now in his 26th year in prison.

Jonathan Pollard has now served longer in jail than the prosecution recommendation to the judge under their binding plea bargain arrangement with Pollard. What message does this send to our justice system when the prosecution makes a plea bargain and gets a person to cooperate and then, according to Federal Appeals Court Judge Stephen Williams, improperly convinced the Judge to ignore the plea bargain (through affidavits the Prosecutors submitted from former Secretary of Defense Casper Weinberger) and give Pollard a life sentence that contradicted the plea bargain. Williams characterized Pollard's sentence as a fundamental miscarriage of Justice and I agree. To be sure, such actions by the prosecution in the Pollard case significantly hurts the credibility and integrity of our justice system. Moreover, it is a future deterrence to those who might now reconsider a wish to agree to a plea bargain by cooperating with the U.S. Government, an act that could thus jeopardize our national security. It is therefore not surprising that significant people from the intelligence community who know the classified information of the Pollard case - like former CIA Director James Woolsey and former head of Senate Intelligence Senator Dennis DeConcini - support Pollard's release. Further, it is telling that those in Congress with military backgrounds, like Arizona Senator John McCain, and Congressmen Alan West and Michael Grimm, also favor Pollard's release.

I note that Israeli Prime Minister Netanyahu has publicly expressed remorse for Israel's actions concerning Pollard and that he has committed Israel to not repeat such actions; more so, they have not done so. Israel is an ally and we need to treat them as an ally. An injustice can occur when a person who commits a crime is punished in a manner completely disproportionate to said crime as is the case with Pollard. Undeniably, Pollard deserved to be punished, but none can reasonably argue that his continued incarceration is not unjust. It needs to be ended. Mr. President, please give urgent consideration to the request from both sides of the political aisle to commute Jonathan Pollard's sentence to time served. Every day of a delay further exacerbates an injustice.

Matt Salmon
Former Member of Congress



U.S. Department of Justice

Office of the Pardon Attorney

WH 08122011-36

Washington, D.C. 20530

AUG 25 2011

The Honorable Alan Simpson
1201 Sunshine Avenue
Cody, WY 82414

Dear Senator Simpson:

This responds to your letter to President Obama of April 25, 2011, in which you recommend executive clemency for Jonathan Pollard.

Mr. Pollard's clemency application was filed on October 15, 2010, and is being processed. You may assured that the petition will be carefully considered and that Mr. Pollard will be notified when final action has been taken.

Thank you for your interest in this matter and for writing to the President.

Sincerely,

A handwritten signature in black ink that reads "Ronald L. Rodgers". The signature is written in a cursive style.

Ronald L. Rodgers
Pardon Attorney

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MI Pollard
ALAN K. SIMPSON



United States Senator (Ret.)

WYOMING

April 25, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President,

I join many other distinguished Americans to request that you exercise your power of clemency and commute Jonathan Pollard's prison sentence to time served.

Mr. Pollard is currently serving his 26th year of a life sentence (seven of which were spent in solitary confinement). He was indicted on one count of passing classified information to an ally without intent to harm the United States - an offense that normally results in a 2-4 year sentence. He pled guilty under a plea agreement with which he fully complied but which was ignored by the sentencing judge.

I do not condone espionage, nor do I underestimate the gravity of Pollard's crime. But it is patently clear that Mr. Pollard's sentence is severely disproportionate and (as several federal judges have noted) a gross miscarriage of justice.

Religious leaders from all faiths and prominent national figures have publicly stated their support for Mr. Pollard's release: VP Dan Quayle, Senators McCain, Specter, DeConcini, Bennett, Congressman Barney Frank and thirty-nine Democrat members of the House, over 500 Christian and Jewish clergy, former assistant secretary of defense Lawrence Korb, Secretaries of State Henry Kissinger and George Schultz, Attorney General Michael Mukasey, Rev. Hesburgh of Notre Dame, Benjamin Hooks of the NAACP, Evangelist leader Pat Robertson, former federal judge Leighton, former NYC Mayor Rudy Giuliani, former U.S. Solicitor General Theodore Olsen, Gary Bauer, Pastor John Hagee, and Nobel Laureate Elie Wiesel. Perhaps most noteworthy, similar support has come from those who have seen the classified information of the damage that Pollard caused - former CIA Director James Woolsey, Congressman Anthony Weiner, former Deputy Attorney General Phillip Heymann, and former head of the Senate Intelligence Committee Senator Dennis DeConcini.

After more than two decades in the harshest prison conditions, Mr. Pollard's health is declining. He has repeatedly expressed remorse for his actions, and by all accounts has been a model prisoner.

Commuting his sentence to time served would be a wholly appropriate exercise of your power of clemency - as well as a matter of basic compassion and American justice.

Respectfully and sincerely,



U.S. Department of Justice

Office of the Pardon Attorney

WH 10182011-7

Washington, D.C. 20530

OCT 19 2011

Moshe Kantor
President
European Jewish Congress
73, Rue de Namur
1000 Brussels Belgium

Dear Mr. Kantor:

This responds to your letter to President Obama of September 13, 2011, in which you recommend executive clemency for Jonathan Pollard.

Mr. Pollard's clemency application was received in this office on October 15, 2010, and is being processed. You may be assured that the petition will be carefully considered and that Mr. Pollard will be notified when final action has been taken. Your letter will be included in Mr. Pollard's clemency file.

Thank you for your interest in this matter and for writing to the President.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney

M1 Pollard
33



To the President of the United States of America
Mr. President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Geneva, 13 September 2011

Dear Mr. President,

I am writing to you as President of the European Jewish Congress, the democratically-elected body representing European Jewry. I would like to express my utmost concern over the fate of Jonathan Pollard.

Jonathan Pollard has been sentenced for life because of the classified information he disclosed to Israel, a friend and ally of the United States. Pollard did not disclose information to any other country, nor was he charged for doing so. His intention was not to harm the United States, and indeed Israel did not make any use of the disclosed information to harm the security or the interests of the United States. Pollard is the only person in the history of the United States to receive a life sentence for spying for an ally.

The information disclosed by Pollard revealed to Israel the details of Syrian, Iraqi, Libyan and Iranian nuclear, chemical, and biological warfare capabilities, of ballistic missile development, and on planned terrorist attacks against Israeli civilian targets. Former National Security Advisor Bobby Ray has publicly admitted, after resigning in 1994, that this critical information had been deliberately withheld from Israel in retaliation for Israel's 1981 strike on Iraq's nuclear reactor.

While Pollard's conviction was justified, his sentence was disproportionate and out-of-line with sentences imposed for similar offences. Such is the opinion of prominent American officials and legal experts, such as former CIA Director James Woolsey, of former chair of the Senate Intelligence Committee Denis DeConcini (both of whom are familiar with the information disclosed by Pollard), of former Attorney General Michael Mukasey, and of Harvard Law Professors Alan Dershowitz and Philip Heymann.

Indeed, no life sentence has ever been imposed in the United States for offenses similar to Pollard's. The average punishment for Pollard's offence is a two to four year prison term. Such sentences have been imposed on Americans who spied for Egypt, for instance. The life sentence imposed on Pollard ignored the plea bargain reached between the defense and the prosecution. Pollard was not accused of treason, or of intending to harm the United States. He pleaded guilty under a plea bargain, and was thus convicted and sentenced (without a full trial) to life imprisonment, despite the US Government's promise not to seek such a penalty.

Pollard waived his right to trial by jury in exchange for a promise by the government that it would not seek life imprisonment. The US Government broke that promise. It submitted a perjured affidavit by then Secretary of Defense Weinberger demanding life imprisonment and overstating the damage that

Pollard had caused. This was a breach of the plea bargain. There is no other case in American jurisprudence in which a plea bargain has been so blatantly violated. If Pollard had served the sentence agreed upon in the plea bargain, he would no longer be in jail by now.

Jonathan Pollard has served more than 25 years of his life sentence (seven of which have been served in solitary confinement). He has consistently expressed remorse over his actions, and his health is declining. In light of the disproportionate sentence imposed on Pollard, of the fact that he has already served over 25 years in jail, and in light of the fact that both Pollard and the Israeli Government have expressed regret over his deeds, many respected leaders and public figures have asked you, Mr. President, to commute Pollard's sentence.

Among the long list of people who have implored you to commute Pollard's sentence are Shimon Peres, Benjamin Netanyahu, John Mc Cain, Henry Kissinger, George Shultz, as well as hundreds of leaders from the United States and from around the world. I have the honor of adding my name to this respectable list and to ask you, Mr. President, to use your constitutional powers in a way that would serve justice and show compassion.

Jonathan Pollard's continued imprisonment is an injustice. Only you, Mr. President, can put an end to this injustice by commuting Pollard's sentence to time served. A commutation is not a pardon, in that it does not erase the conviction. Commutation only reduces the sentence without suggesting that the defendant is not guilty.

As we approach the Jewish New Year, a time considered an opportune moment for confession, forgiveness and new beginnings, I humbly ask you, Mr. President, to show mercy for a fellow human being and to serve the cause of justice.

With my highest esteem,



Moshe Kantor

President, European Jewish Congress



U.S. Department of Justice

Office of the Pardon Attorney

WH 10182011-6

Washington, D.C. 20530

OCT 19 2011

Robert Wexler
President
S. Daniel Abraham Center for Middle East Peace
633 Pennsylvania Avenue, N.W.
Washington, DC 20004

Dear Mr. Wexler:

This responds to your letter to President Obama of July 25, 2011, in which you recommend executive clemency for Jonathan Pollard.

Mr. Pollard's clemency application was received in this office on October 15, 2010, and is being processed. You may be assured that the petition will be carefully considered and that Mr. Pollard will be notified when final action has been taken. Your letter will be included in Mr. Pollard's clemency file.

Thank you for your interest in this matter and for writing to the President.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney

M1 Pardon
33



S. DANIEL ABRAHAM
CENTER FOR MIDDLE EAST PEACE

633 PENNSYLVANIA AVENUE, NW • WASHINGTON, DC 20004 • (202) 624-0850 • FAX (202) 624-0855 • www.centerpeace.org

S. DANIEL ABRAHAM
CHAIRMAN

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JIHAN GHANIM
DIRECTOR OF PROGRAMS

AMBASSADOR AVI GIL
SENIOR POLICY ADVISOR (ISRAEL)

DAN ROTHEN
SENIOR POLICY CONSULTANT (ISRAEL)

July 25, 2011

President Barack Obama
The White House
1600 Pennsylvania Ave.
Washington, DC 20500

Re: Jonathan Pollard

Dear Mr. President,

I write to you in order to join the long list of Members of Congress, former administration officials, Nobel Laureates, diplomats and religious leaders asking that you grant clemency for Jonathan Pollard. This letter does not seek to diminish the significance of his crime, nor does it wish to dispute the conditions under which the sentence was originally passed. The purpose of this letter is to advocate that Mr. Pollard be held to the same standards of punishment for his actions as others convicted of similar crimes.

Mr. Pollard is the only person in U.S. history to receive a life sentence for disclosing classified information to an American ally. In fact, he is the only American citizen convicted of such a crime to be sentenced to more than 14 years in prison. Currently, the punishment for such a crime is set at a maximum of ten years.

Having spent over 25 years in incarceration, seven of which were spent in solitary confinement, and having expressed remorse for his crimes, it is my humble opinion that Mr. Pollard has served sufficient time – both in terms of punishment for his crimes and in terms of deterrence to would-be perpetrators. I therefore ask that you consider asserting your constitutional authority to grant clemency for Mr. Pollard.

Thank you for your kind consideration.

Warmest wishes,

Robert Wexler
President, S. Daniel Abraham Center for Middle East Peace

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Congress of the United States
Washington, DC 20515

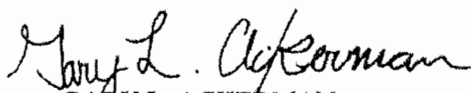
March 6, 2012


President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

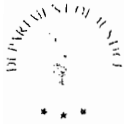
Dear Mr. President,

We are writing you again to urge you to use your constitutional power to commute the sentence of Jonathan Pollard. Such an action would not in any way imply doubt about his guilt. Mr. Pollard committed serious crimes, and he has admitted this and expressed remorse. The fact remains, however, that there is a great disparity between the amount of time that Mr. Pollard has served and the time that has been served by many others who were found guilty of similar activity on behalf of nations that, like Israel, are our allies. Mr. Pollard has been incarcerated now for over twenty six years, and from our perspective this stands as a sufficient time from the standpoint of either punishment or deterrence. We further believe that at a time when Israel, our democratic ally, is being faced with a range of difficult decisions, a decision by you to commute Mr. Pollard's sentence would not only be a humane act, but would also be taken in Israel as a further affirmation of the strong commitment the U.S. has to the ties between us, and we believe that such an affirmation could be especially useful at a time when those decisions are being made.

Sincerely,


GARY L. ACKERMAN
Member of Congress


BARNEY FRANK
Member of Congress



U.S. Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

APR 10 2012

The Honorable Gary L. Ackerman
United States House of Representatives
Washington, DC 20515

Dear Congressman Ackerman:

This responds to your letter to President Obama of March 6, 2012, in which you recommend commutation (reduction) of sentence for Jonathan Pollard.

Mr. Pollard's application for commutation of sentence was filed on October 15, 2010, and is being processed. You may be assured that the petition will be carefully considered and that Mr. Pollard's attorneys will be promptly notified when final action has been taken in his case.

Thank you for your interest in this matter and for writing to the President.

Sincerely,

A handwritten signature in black ink that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney



U.S. Department of Justice

Office of the Pardon Attorney

WH 03272012-2

Washington, D.C. 20530

APR - 4 2012

Rabbi David Zwiebel, Esquire
Agudath Israel of America
The Rabbi Moshe Sherer National Headquarters
42 Broadway FL 14
New York, NY 10004

Dear Rabbi Zwiebel:

This responds to your letter of December 15, 2011 to President Obama concerning executive clemency for Jonathon Pollard. Your letter is appreciated and we have made it and its enclosures part of Mr. Pollard's clemency file.

Mr. Pollard's application for commutation (reduction) of sentence is under consideration. The processing time for an application for commutation of sentence can be lengthy, and we can give no assurance that final action will be taken by the President within a particular time frame. You may be assured, however, that Mr. Pollard's attorneys will be notified promptly when a final decision on his application has been reached.

Thank you for writing to the President.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney



Agudath
Israel
of America
אגודת ישראל באמריקה

בס"ד

OFFICE OF THE
EXECUTIVE VICE PRESIDENT

December 15, 2011

BY FAX (202-456-2461) & OVERNIGHT MAIL

The Honorable Barack H. Obama
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President:

Last year, by letter dated December 14, 2010, I conveyed to you the plea of Agudath Israel of America that you grant executive clemency to Jonathan Pollard. I respectfully take this holiday-season opportunity to renew that plea.

In my letter of a year ago, a copy of which is enclosed, I made several substantive points in support of clemency. In brief:

1. The exceptional severity of Pollard's life sentence is difficult to comprehend, particularly in light of the fact that it was imposed after a plea bargain, and that the country for which he was charged with spying – Israel – was and is a staunch ally of the United States. As others have pointed out, there is great disparity between Pollard's life sentence and the sentences imposed on others convicted of similar crimes.

2. There were several ways in which the government did not play fair in the process leading up to the imposition of Pollard's life sentence. The prosecutorial tactics employed in this case were inconsistent with basic tenets of fundamental fairness. This warrants your humane consideration in the context of executive clemency.

3. Pollard's lawyers' inexplicable failure to appeal his life sentence constituted a strategic blunder of tremendous proportion, as acknowledged by the D.C. Circuit Court of Appeals in its ruling denying Pollard's motion to withdraw his guilty plea. Humanitarian considerations dictate that Pollard should not be made to spend the rest of his life in prison because of his lawyers' terrible mistake.

Each of these points is discussed in detail in my letter of last year, which I once again respectfully commend to your attention.

THE RABBI MOSHE SHEFRER NATIONAL HEADQUARTERS
42 Broadway • New York, NY 10004 • 212-797-9000 • Fax: 646-254-1600

The Honorable Barack H. Obama
December 15, 2011
Page 2

At this occasion, though, I wish to add a simple humanitarian plea, one that reflects the overwhelming consensus of Agudath Israel's national constituency of Orthodox Jews.

Jonathan Pollard is no hero. He committed a serious crime. But he has already been punished severely. He has languished in prison for 26 long and debilitating years. His health has dangerously deteriorated. He is a broken man. He is remorseful for his actions. He seeks only to live out the remaining years of his life as a free man.

Mr. President, 'tis the season – to display compassion, to dispense generosity, to honor human dignity. Please, Mr. President, grant Jonathan Pollard his freedom.

Sincerely,



Rabbi David Zwiebel, Esq.
Executive Vice President

DZ/aa
Enclosure



Agudath
Israel
of America
אגודת ישראל באמריקה

December 14, 2010

BY FAX & OVERNIGHT MAIL

The Honorable Barack Obama
President of the United States
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Dear Mr. President:

On behalf of Agudath Israel of America, a national Orthodox Jewish organization, I wish to renew our longstanding humanitarian plea that Jonathan Pollard, who has already served 25 years of his life sentence, be granted executive clemency. We have made this plea to several presidents over the years – but with each passing year that Mr. Pollard languishes in prison, the urgency of the plea is compounded.

We acknowledge, as we always have, that Pollard's crime was extremely serious. But we maintain, also as we always have, that the exceptional severity of his sentence is troubling. His espionage took place during a time of peace. The country for which he was charged with spying, Israel, was and is a staunch ally of the United States. He received his sentence after a plea bargain, not a trial. Each of these factors, on its own, should have softened the harshness of his sentence; taken collectively, they render his sentence of life in prison virtually incomprehensible.

Indeed, the 25 years Pollard has already served – let alone the life sentence imposed upon him – is entirely out of line with sentences served by others convicted of spying for friendly governments. As Representative Barney Frank and 38 of his colleagues wrote to you last month:

We believe that there has been a great disparity from the standpoint of justice between the amount of time Mr. Pollard has served and the time that has been served — or not served at all — by many others who were found guilty of similar activity on behalf of nations that, like Israel, are not adversarial to us. It is indisputable in our view that the nearly twenty-five years that Mr. Pollard has served stands as a sufficient time from the standpoint of either punishment or deterrence.

We respectfully add our voice to those of Representative Frank and his colleagues in asking you to recognize that Jonathan Pollard has more than adequately repaid his debt to society through the quarter-century he has already spent in federal prison. The length of his incarceration, considering the nature of his crime and the fact that he entered into a plea bargain, is itself a compelling justification for the humanitarian exercise of your executive clemency authority.

There are, however, two additional factors that strongly militate in favor of clemency: the fact that the government, in a variety of ways, did not play fair in the process leading up to the imposition of Pollard's life sentence; and the fact that Pollard lost his opportunity to appeal his life sentence due solely to his own attorney's shoddy lawyering. It is fair to assume that Pollard is still sitting in jail today only because both the government and his lawyer deviated from the norms that characterize our system and sense of American justice. There is something very wrong with that picture, and we respectfully ask you to set it right.

Let me elaborate on these two additional points:

1. *The Government's Troubling Conduct:* After entering into a plea bargain agreement with Pollard, the government proceeded in a manner that was in substantial tension with the commitments it had made under the agreement. In the words of Judge Stephen Williams, the dissenting vote in the 1992 D.C. Circuit Court of Appeals 2-1 ruling rejecting Pollard's §2255 motion to withdraw his guilty plea:

On its side, the government made three promises of significance here. First, it would bring to the court's attention "the nature, extent and value of [Pollard's] cooperation and testimony" and would represent that the information supplied was of "considerable value to the Government's damage assessment analysis, its investigation of this criminal case, and the enforcement of the espionage laws." Second, it would not ask for a life sentence (this promise was implicit but is not contested by the government), though it would be free to recommend a "substantial period of incarceration". Third, the government limited its reserved right of allocution to "the facts and circumstances" of Pollard's crimes. **The government complied in spirit with none of its promises; with the third, it complied in neither letter nor spirit.** [*United States v. Pollard*, 959 F2d 1011, 1034 (D.C. Cir. 1992) (Williams, J., dissenting) (citations omitted; emphasis added).]

These factors led Judge Williams to describe the government's conduct as "a fundamental miscarriage of justice." *Id.* at 1032.

The two judges who formed the court's majority disagreed with their colleague's bottom line, but they too acknowledged "the grudging nature of the government's compliance," 959 F.2d at 1026; that "the government's presentation was certainly not generous – it could well be thought stingy," *id.*; and that "the government was engaged in rather hard-nosed dealings with the defendant," *id.* at 1030. The majority took note of the "rather polemical tone" of Secretary Caspar Weinberger's pre-sentencing memorandum to the district judge, *id.* at 1017, conceding that the Secretary's words might accurately be characterized as "rank hyperbole." *Id.* at 1025. The majority did not disagree that the government's unflattering description of Pollard's character and motivation constituted a breach of its pledge to limit its allocution to the "facts and circumstances" of the case; it merely held that any such breach, "troublesome" though it may be (*id.* at 1026), did not rise to the level of a "fundamental defect" in the sentence that resulted in a "complete miscarriage of justice" sufficient to warrant §2255 collateral relief. *Id.* at 1028.

The government's inappropriate handling of the case after it entered into the plea agreement extends beyond the manner in which it carried out its terms of the bargain with Pollard. As I pointed out in an article I wrote for the June 1997 *Middle East Quarterly*, it was only after the government had secured Pollard's guilty plea that it began speaking in terms of the harm Pollard caused to the United States. Pollard's indictment had charged him under the federal law that makes it a crime to deliver defense information "to the advantage of a foreign nation" – conspicuously avoiding charging him under the parallel law that makes it a crime to deliver such information "to the injury of the United States." Pollard thus had good reason to assume, when he agreed to plead guilty to a criminal charge of spying for an ally where there had been no charge of harm to the United States, that he would receive something less than a life sentence.

After his plea, though, the government began to sing a different tune, essentially converting the charge from the less morally culpable crime of benefiting a foreign nation to the more serious crime of injuring the United States. Thus, as elaborated in the aforementioned *Middle East Quarterly* article, the government submitted a Victim Impact Statement that spoke in various ways of the harm Pollard had caused to American interests; Secretary Weinberger submitted a declaration raising the specter that Pollard had endangered American lives; and then, in a second submission on the eve of sentencing, the Secretary went so far as to accuse Pollard of "treason" – a legal term that Article III, Section 3 of our Constitution defines as levying war against the United States or aiding America's enemies.

What happened, in other words, is that the government leveled a charge of lesser moral magnitude against Pollard, secured his guilty plea, and then post-facto changed the focus of the sentencing process by upping the ante on Pollard's crime. This may have been clever prosecutorial strategy – but it was not fair play.

2. *Pollard's Lawyer's Failure to Appeal the Sentence*: There is yet another reason why there is something fundamentally unfair about Pollard's life sentence. It is by now clear that Pollard's original lawyer made a number of serious tactical mistakes in his representation of Pollard – most egregiously his failure directly to appeal Pollard's life sentence.

The devastating consequences of that failure are spelled out quite clearly in the D.C. Court of Appeals' aforementioned 2-1 ruling against Pollard's §2255 motion to withdraw his guilty plea, in which the majority point out that “in a §2255 collateral challenge, an appellant, in order to gain relief under any claim, is obliged to show a good deal more than would be sufficient on a direct appeal from his sentence. §2255 is not a substitute for a direct appeal. ...**The mood, atmosphere or ‘rhetoric’ of the government's allocation – upon which the dissent relies – might justify relief on direct appeal of the sentence, but it is unlikely to satisfy the rigorous test of §2255.**” (*United States v. Pollard, supra*, 959 F.2d at 1020, 1029-30 [emphasis added].) In other words, had Pollard's lawyer decided directly to appeal the life sentence on the grounds that the government had breached the plea bargain agreement, chances are that he would have prevailed on that appeal. But the lawyer, for whatever reason (or for no reason), did not file an appeal – and the rest is tragic history. It is therefore fair to ask as a matter of simple justice whether Pollard should be made to suffer such severe consequences – spending the rest of his life in prison – as a result of his lawyer's egregious mistake.

That Pollard committed an extremely serious crime and deserved to pay for it is clear. But it is also clear that for a man to spend his entire life in prison based on questionable tactics by the government in its prosecution of a case and an inexplicable blunder by his lawyer simply does not comport with fundamental fairness. It may be too late, under the applicable statutes of limitations, for a court of law to allow Pollard to withdraw his guilty plea or appeal his sentence on the basis of these considerations. *United States v. Pollard*, 290 F. Supp. 2d 153 (D.D.C. 2003). But it is not too late for the President of the United States to take them into account when considering Pollard's clemency application. The genius of our constitutional system is that the Chief Executive has the power, entirely independent of the courts, to act in a humanitarian manner that upholds our nation's most noble traditions of fair play and compassionate justice. This is a case that screams out for the exercise of such humanitarian executive authority.

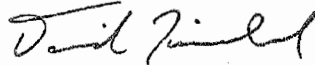
The Honorable Barack Obama
December 14, 2010
Page 5

Let me conclude with a simple plea from the heart. By no means does Agudath Israel of America condone what Pollard did. He is no hero. But he committed his crime more than a quarter-of-a-century ago. He has expressed remorse for his actions. He has languished in prison for 25 years. He is in declining health. He is a broken man. We respectfully echo the words of former CIA director James Woolsey: "He's served long enough."

During this holiday season, Mr. President, Agudath Israel of America implores you, respectfully but urgently, to grant clemency to Jonathan Pollard.

Many thanks for your consideration of this plea – and many thanks for your courageous leadership of our great nation. As always, you have our blessings and every good wish.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Zwiebel".

Rabbi David Zwiebel, Esq.
Executive Vice President

DZ/aa



U.S. Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

MAR 20 2012

The Honorable Robert Turner
United States House of Representatives
2104 Rayburn House Office Building
Washington, DC 20515-0001

Dear Congressman Turner:

This responds to your letter to President Obama of February 17, 2012, in which you recommend executive clemency for Jonathan Pollard.

Mr. Pollard's clemency application was filed on October 15, 2010, and is being processed. You may be assured that the petition will be carefully considered and that Mr. Pollard will be promptly notified, via his attorney, when final action has been taken.

Thank you for your interest in this matter and for writing to the President.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney

ROBERT L. TURNER
9TH DISTRICT, NEW YORK

COMMITTEE ON FOREIGN AFFAIRS
COMMITTEE ON HOMELAND SECURITY
COMMITTEE ON VETERANS' AFFAIRS

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Congress of the United States
House of Representatives
Washington, DC 20515-3209

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2104 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-3209
PHONE: (202) 225-6616
FAX: (202) 226-0218
82-20A ELIOT AVENUE
MIDDLE VILLAGE, NY 11379
PHONE: (718) 426-5000
FAX: (718) 426-5184
www.bobturner.house.gov

February 17, 2012

President Barack Obama
The White House
1600 Pennsylvania Ave., NW
Washington, DC 20500

Re: Clemency for Jonathan Pollard

Dear Mr. President,

I am writing today to join the long list of Members of Congress, former Cabinet members, diplomats, religious leaders and other distinguished Americans urging you to grant clemency to Jonathan Pollard and commute his sentence to time served.


I will not minimize the severity of Jonathan Pollard's crime nor his guilt, nor will I cast any aspersions upon the process by which he was convicted and sentenced. While others have raised concerns regarding these issues, a grant of clemency does not concern such matters.

Jonathan Pollard has served 26 years in federal prison for his crime, and questions exist regarding the disparity between the length of his sentence and those convicted of similar crimes. He has repeatedly expressed remorse for his actions, and by all accounts has served as a model prisoner.

I believe the length of Jonathan Pollard's incarceration has satisfied the demands of justice and has been sufficient to deter those who might otherwise be tempted to engage in such criminal acts. The commutation of sentence to time served would, therefore, be an appropriate exercise of compassion and executive discretion.

In light of the above, I ask that you grant clemency to Jonathan Pollard. Thank you for your kind consideration.

Respectfully yours,



Robert L. Turner
Member of Congress



U.S. Department of Justice

Office of the Pardon Attorney

Washington, D.C. 20530

WH 02012012-51

February 1, 2012

Moshe Kahalon
Minister of Communications
23 Jaffa Street
91999
Jerusalem
Israel

Dear Mr. Kahalon:

We have received your letter to President Obama of January 2, 2012, supporting the application for commutation (reduction) of sentence submitted on behalf of Jonathan Jay Pollard. We have made your letter part of Mr. Pollard's clemency file.

Mr. Pollard's application for commutation of sentence remains under consideration. While we cannot predict when a decision will be reached, he will be notified promptly once final action has been taken on his application.

Thank you for writing to the President.

Sincerely,

A handwritten signature in black ink that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney



January 2, 2012

To the Honorable President
Barack Obama
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500-0001

In writing this letter I join the many people in Israel, the US, and other countries around the world who have requested that you exercise your power of clemency on behalf of Mr. Jonathan Pollard's sentence and set him free.

As you are well aware, Mr. Pollard is about to enter his 27th year served in American jails for espionage, and his health is in a precarious state. As you know, both Mr. Pollard and the State of Israel have expressed full remorse for this troubling saga.

As many senior American government officials have duly noted, Jonathan Pollard has been given such a long sentence - a life sentence - for his actions. During these latest years new views have been vocally expressed by many former senior members of America's national administration and intelligence institutions, many of whom were adamantly against Pollard's release in the past, sincerely believe today in the possibility for a clemency grant.

Among these senior officials who are calling for his release today are some of the people with the most intimate knowledge of the case and all its details - including the classified documents presented to the presiding judge.

In addition to the extremely harshness of Mr. Pollard's sentence, over the years of his imprisonment he has developed serious health problems and undergone numerous difficult surgical operations.



Mr. Pollard's prolonged incarceration, and his very difficult health situation, are the cause for deep concern among the citizens of Israel and their political and religious leadership.

I have no doubt that your decision to release Jonathan Pollard now as a humanitarian expression of justice and compassion will bring great relief to many, and will remove this impediment to the friendship between our nations.

Your Sincerely,

A handwritten signature in cursive script, appearing to read "M. Kahalon".

Moshe Kahalon
Minister of Communications
Minister of Social Affairs and Services

1070182



October 26, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President,

We, the undersigned, retired U.S. Senators – Republican and Democrat - join the many other distinguished Americans to urge you to exercise your power of clemency and commute Jonathan Pollard's prison sentence to time served.

Mr. Pollard will complete his 26th year of incarceration on November 21, 2011 and begin his 27th year of an unprecedented life sentence (seven of which were spent in solitary confinement). He was indicted on one count of passing classified information to an ally without intent to harm the United States - an offense that normally results in a 2-4 year sentence. He pled guilty under a plea agreement with which he fully complied but which was ignored by the sentencing judge. Mr. Pollard is the only person in the history of the U.S. to receive a life sentence for passing classified information to an ally.

We do not condone espionage, nor do we underestimate the gravity of Pollard's crime. But it is patently clear that Mr. Pollard's sentence is severely disproportionate and (as several federal judges have noted) a gross miscarriage of justice.

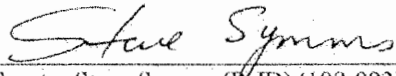
Religious leaders from all faiths and prominent national figures have publicly stated their support for Mr. Pollard's release: Vice President Quayle, Secretaries of State Kissinger and Schultz, Attorney General Mukasey, Assistant Secretary of Defense, Dr. Korb, Senators McCain, Schumer, Congressmen Frank, Waxman, Towns and thirty-nine Democrat members of the House, Republican Congressmen Grimm, West, Turner, Rev. Hesburgh of Notre Dame, Benjamin Hooks of the NAACP, Evangelist leaders Pat Robertson, Gary Bauer, Pastor John Hagee, former federal judge Leighton, former NYC Mayors Giuliani, Dinkins, former U.S. Solicitor General Olsen, Harvard Law professors Dershowitz, Ogletree, and Nobel Laureate Elie Wiesel. Perhaps most noteworthy, similar support has come from those who have seen the classified information of the damage that Pollard caused - former CIA Director Woolsey, former Deputy Attorney General Heymann, and former head of the Senate Intelligence Committee Senator DeConcini.

After more than two decades in the harshest prison conditions, Mr. Pollard's health is declining. He has repeatedly expressed remorse for his actions as has the State of Israel, and by all accounts has served as a model prisoner.

Commuting his sentence to time served would be a wholly appropriate exercise of your power of clemency - as well as a matter of basic compassion and American justice.

President Barack Obama
October 26, 2011


Respectfully and sincerely,



Senator Steve Symms (R-ID) (1985-1993);
Congressman Steve Symms (R-1st ID)
(1973-1981)



Senator Dennis DeConcini (D-AZ) (1977-
1995); Chairman, Senate Select Committee on
Intelligence (1993-1994)



Senator Alan Simpson (R-WY) (1979-
1997); Senate Majority Whip (1985-1987),
Minority Whip (1987-1995); Chairman,
Committee on Veterans' Affairs (1995-
1997)



Senator Arlen Specter (D-PA) (1981-2011);
Chairman, Senate Select Committee on
Intelligence (1995-1997); Chairman, Senate
Committee on the Judiciary (2005-2007);
Chairman, Committee on Veterans' Affairs
(1997-2001)



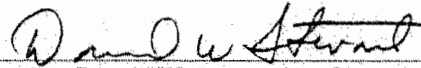
Secretary Spencer Abraham; Secretary of
Energy (2001-2005); U.S. Senator (R-MI)
(1995-2001)



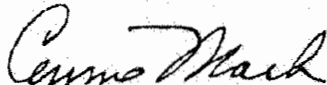
Senator Birch Bayh II (D-IN) (1963-1981);
Chairman, Senate Select Committee on
Intelligence (1977-1981)



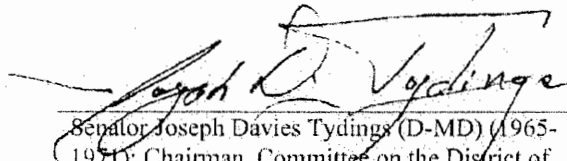
Senator Robert Bennett (R-UT) (1993-
2011); Ranking Member, Committee on
Rules and Administration (2009-2011);
Counsel to Minority Leader (2008-2010)



Senator Donald W. Stewart (D-AL)
(1978-1981)



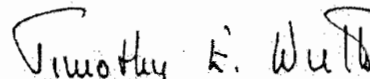
Senator Connie Mack (R-FL) (1989-2011);
Chairman, Senate Republican Conference
(1997-2001); Chairman, Joint Economic
Committee (1994-1996; 1998-2001); Senate
Select Committee on Intelligence (1999-
2001)



Senator Joseph Davies Tydings (D-MD) (1965-
1971); Chairman, Committee on the District of
Columbia (1969-1971); United States Attorney
(1961-1963)




Senator Conrad Burns (R-MT) (1989-2007)

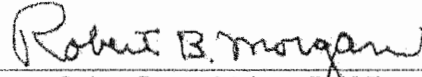


Senator Timothy E. Wirth (D-CO) (1987-
1993); Under Secretary of State for Democracy
and Global Affairs (1994-1997)

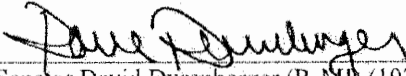
President Barack Obama
October 26, 2011



Senator Larry Pressler (R-SD) (1979-1997);
Chairman, Committee on Commerce,
Science and Transportation (1995-1997)



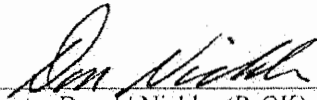
Senator Robert Burren Morgan (D-NC)
(1975-1981)



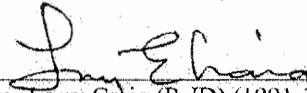
Senator David Durenberger (R-MN) (1978-
1995); Chairman, Senate Select Committee
on Intelligence (1985-1987)



Senator Byron Dorgan (D-ND) (1992-2011);
Chairman, Senate Committee on Indian Affairs
(2007-2011); Chairman, Democratic Policy
Committee (1999-2011)



Senator Donald Nickles (R-OK) (1981-
2005); Chairman, National Republican
Senatorial Committee (1989-1991);
Chairman, Republican Policy Committee
(1991-1997); Chairman, Committee on the
Budget (2003-2005); Senate Majority Whip
(1996-2001); Minority Whip (2001-2003)



Senator Larry Craig (R-ID) (1991-2009);
Chairman, Republican Policy Committee
(1997-2003); Chairman, Special Committee on
Aging (2003-2005); Chairman, Committee on
Veterans' Affairs (2005-2007)



U.S. Department of Justice

Pardon Attorney

WH 10272011-10

Washington, D.C. 20530

November 28, 2011

The Honorable David N. Dinkins
School of International and Public Affairs
Columbia University
420 W 118th St
New York, NY 10027-7235

Dear Mayor Dinkins:

This responds to your letter to President Obama of October 4, 2011, in which you recommend executive clemency for Jonathan Pollard.

Mr. Pollard's clemency application was received in this office on October 15, 2010, and is being processed. You may be assured that the application will be carefully considered and that Mr. Pollard will be notified when final action has been taken. Your letter will be included in Mr. Pollard's clemency case file.

Thank you for your interest in this matter and for writing to the President.

Sincerely,

A handwritten signature in cursive script that reads "Ronald L. Rodgers".

Ronald L. Rodgers
Pardon Attorney

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October 4, 2011

President Barack Obama
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

Dear Mr. President,

I write to join the many Americans and humanitarians worldwide who are calling upon you to exercise your power of clemency to commute Jonathan Pollard's prison sentence to time served. I first recommended that President Clinton consider such action in 1993 and, that failing, now find it necessary to appeal to you.

Mr. Pollard is currently serving the 26th year of a life sentence – seven of the 26 served in solitary confinement. He was indicted on one count of passing classified information to an ally without intent to harm the United States – an offense that ordinarily carries a two-to-four year sentence. He pled guilty under a plea agreement with which he fully complied but that was apparently ignored by the sentencing judge.

I understand that Mr. Pollard is the only person in the history of the United States to receive a life sentence for passing classified information to an ally. While I condemn espionage and do not underestimate the gravity of Mr. Pollard's offense, many feel that his sentence is severely disproportionate, among them former CIA Director Woolsey, former Deputy Attorney General Heymann, and former head of the Senate Intelligence Committee Senator DeConcini.

Mr. Pollard has repeatedly expressed remorse for his actions and, by all accounts, has been a model prisoner. It has been reported recently, nevertheless, that he was denied compassionate leave to attend his father's funeral, and now, after more than two decades of confinement, Mr. Pollard's health is said to be declining.

It is in light of the above that I ask that you consider commuting the sentence of Jonathan Pollard to time served. Thank you for your attention to this matter, Mr. President.

Sincerely,



David N. Dinkins