August 17, 2012

Grant F. Smith
Inst. for Research: Middle East Policy
P.O. Box 32041
Washington, DC 20007

Re: Freedom of Information Act
Request No. 2012-119

Dear Mr. Smith:

This responds to your correspondence of August 10, 2012, received in the Office of the Pardon Attorney on August 14, 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 [our] response to [your] May 1, 2012 FOIA."

In response to your request, I am providing you with ten pages of records, which are being released to you without redaction. Absent the specific, written authorization of Mr. Pollard and his attorneys, three pages consisting of correspondence between this office and Mr. Pollard's attorneys have been withheld in their entirety pursuant to exemption 6 of the FOIA. However, I can advise that two of these three pages of records consisted of correspondence by which additional copies of the same letters of Representatives Sherman and Andrews that are being released to you along with this correspondence were forwarded to this office by Mr. Pollard's attorneys, and the other of the three pages was our acknowledgement letter to Mr. Pollard's attorneys that we had received the letters of Representatives Sherman and Andrews.

I am required to 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 correspondence. 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,

Ronald L. Rodgers
Pardon Attorney
June 13, 2012

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

Dear Mr. President:

I write to you out of concern for the ailing Jonathan Pollard and request that you commute his sentence to time-served, a position supported by former CIA director James Woolsey, former Chair of the Senate Select Committee on Intelligence Dennis DeConcini, and former Secretary of State Henry Kissinger. Mr. Pollard was arrested for spying for and giving classified documents to Israel, a close friend and ally of the United States. He has now been incarcerated for 27 years on the charge of one count of espionage.

In exchange for bypassing a trial, Pollard pled guilty in exchange for a lighter sentence; however, the court reneged on its promise and gave him the maximum sentence of life in prison with the recommendation that he be denied parole. The length of this sentence is unprecedented as the median sentence for passing classified intelligence to an ally is between two and four years. In fact, Mr. Pollard has served even longer than many who have been convicted of spying for enemies of the United States.

If Mr. Pollard were released today he would pose no threat to national security and any intelligence that he once possessed is undoubtedly irrelevant 27 years later. Commutation will not grant him pardon for his actions rather it will recognize that he has served more than ample time for his crime. I urge you to seriously consider this case and decide to commute Jonathan Pollard’s life sentence to time-served.

Sincerely,

Robert E. Andrews
Member of Congress

Cc: Eric Holder, United States Attorney General
The Honorable Robert E. Andrews  
United States House of Representatives  
Washington, DC 20515

Dear Congressman Andrews:

This responds to your letter to President Obama of June 13, 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 notified when final action has been taken.

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

Sincerely,

Ronald L. Rodgers  
Pardon Attorney
TO: DEPARTMENT OF JUSTICE

ACTION COMMENTS:

ACTION REQUESTED: APPROPRIATE ACTION

REFERRAL COMMENTS:

DESCRIPTION OF INCOMING:

ID: 1082274
MEDIA: LETTER
DOCUMENT DATE: February 27, 2012
TO: PRESIDENT OBAMA
FROM: THE HONORABLE BILL PASCRELL JR.
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515
SUBJECT: URGES THE PRESIDENT EXTEND CLEMENCY TO JONATHAN POLLARD BY GRANTING HIM EARLY RELEASE FROM PRISON

COMMENTS: __________________________________________________________

_____________________________________________________________________

_____________________________________________________________________


RETURN ORIGINAL CORRESPONDENCE, WORKSHEET AND COPY OF RESPONSE (OR DRAFT) TO: DOCUMENT TRACKING UNIT, ROOM 83, OFFICE OF RECORDS MANAGEMENT - THE WHITE HOUSE, 20500
FAX A COPY OF RESPONSE TO: (202) 456-5661
DATE RECEIVED: April 25, 2012

NAME OF CORRESPONDENT: THE HONORABLE BILL PASCRELL

SUBJECT: URGE THE PRESIDENT EXTEND CLEMENCY TO JONATHAN POLLARD BY GRANTING HIM EARLY RELEASE FROM PRISON

ROUTE TO:
AGENCY/OFFICE

LEGISLATIVE AFFAIRS

(Staff Name)

ROB NABORS

ORG. 04/28/2012

ACTION COMMENTS:

ACTION COMMENTS:

ACTION COMMENTS:

ACTION COMMENTS:

ACTION COMMENTS:

COMMENTS:

MEDIA TYPE: LETTER

USER CODE:

KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES.

REfer QUESTIONS TO DOCUMENT TRACKING UNIT (202) 456-2990

SEND ROUTING UPDATES AND COMPLETED RECORDS TO OFFICE OF RECORDS MANAGEMENT - DOCUMENT TRACKING UNIT ROOM 52, EEB.

Scanned by ORM
February 27, 2012

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

Dear President Obama,

I am writing today to once again urge you to extend clemency to Jonathan Pollard by granting him early release from prison. Acting to free Mr. Pollard in advance of your meeting next week with Israeli Prime Minister Netanyahu, who has expressed his support for Mr. Pollard, would serve as an important reaffirmation of the goodwill and special alliance between the United States and Israel.

As you know, Jonathan Pollard pleaded guilty in 1987 to one count of conspiracy to deliver national defense information to a foreign government. He has expressed remorse for these actions. I make this request not to call into question Mr. Pollard’s guilt, but rather in the belief that his sentence of life in prison exceeds the scope of his crime. I believe that the period of over 26 years which he has already served in prison is penalty enough for passing on information to Israel, a non-adversarial government and a critical U.S. ally. Others convicted of similar crimes have often served far shorter sentences, and an act of clemency for Mr. Pollard would simply serve to correct this wide discrepancy.

In November 2010, I was joined by 38 of my Congressional colleagues in writing to you to request clemency for Jonathan Pollard. I have previously had the opportunity to visit Mr. Pollard at a federal prison in North Carolina as well. I believe that granting him clemency at this point would represent an important gesture of friendship and support for the nation of Israel. Thank you for your consideration of this request.

Sincerely,

Bill Pascrell, Jr.
Member of Congress
Dear Congressman Pascrell:

This responds to your letter to President Obama of February 27, 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 notified when final action has been taken.

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

Sincerely,

Ronald L. Rodgers
Pardon Attorney
June 11, 2012

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

Dear Mr. President,

I urge you to commute the sentence of Jonathan Pollard, who has served over 26 years in prison on a life sentence for criminal activities that would warrant a prison term of far less than life.

As you know, Israeli President Shimon Peres is visiting the United States this week. As President Peres has said, it would be viewed as a humanitarian gesture for you to grant Mr. Pollard clemency.

Commuting Mr. Pollard’s sentence does not imply any doubt about his wrongdoings. I believe that Mr. Pollard’s actions were criminal and contrary to U.S. national security interests. He has admitted to and expresses remorse for his actions. However, I also believe that Mr. Pollard’s time in prison has been sufficiently long both for punishing him for his actions and deterring future, similar offenses. Most importantly, individuals found guilty of similar activities on behalf of allies like Israel have served far shorter sentences.

The Secretary of State at the time of Mr. Pollard’s arrest, George Shultz, as well as former Assistant Secretary of Defense Lawrence Korb, former CIA Director James Woolsey, former Senate Intelligence Committee Chairman Dennis DeConcini, and numerous other prominent former national security officials and members of Congress favor Mr. Pollard’s release. Former Attorney General Mukasey has argued based on his legal experience that, given the nature of Mr. Pollard’s actions, “a life sentence can only be considered utterly disproportionate to the crime.”

Together with other leading members of Congress who share my feelings, I hope you will use your constitutional power to commute the sentence of Mr. Pollard.

Thank you for your consideration of this request.

Sincerely,

Brad Sherman

BRAD SHERMAN
Member of Congress
July 12, 2012

The Honorable Brad Sherman
United States House of Representatives
Washington, DC 20515

Dear Congressman Sherman:

This responds to your letter to President Obama of June 13, 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 notified when final action has been taken.

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

Sincerely,

Ronald L. Rodgers
Pardon Attorney