SUPPORTING STATEMENT FOR PETITION FOR COMMUTATION OF SENTENCE, PAPERWORK REDUCTION ACT SUBMISSION

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Office of the Pardon Attorney has authority to collect this information under the United States Constitution, Article II, Section 2 (the pardon clause); Orders of the Attorney General Nos. 1798-93, 58 Fed. Reg. 53658 and 53659 (1993), 2317-2000, 65 Fed. Reg. 48381 (2000), and 2323-2000, 65 Fed. Reg. 58223 and 58224 (2000), codified in 28 C.F.R. §§ 1.1 et seq. (the rules governing petitions for executive clemency); and Order of the Attorney General No. 1012-83, 48 Fed. Reg. 22290 (1983), as codified in 28 C.F.R. §§ 0.35 and 0.36 (the authority of the Office of the Pardon Attorney).

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

The principal purpose for collecting this information is to enable the Office of the Pardon Attorney to process applicants' requests for commutation. The information is necessary to verify applicants' identities, conduct investigation of the applicants' backgrounds and criminal records, and ensure proper notification to the Bureau of Prisons, Federal Bureau of Investigation, U.S. Attorneys' Offices, U.S. Probation Offices, and federal courts in the event of grants of executive clemency.

This information will primarily be used internally by Department of Justice employees. However, routine uses which may be made of this information include provision of data to the President and his staff, other governmental entities, and the public. The full list of routine uses for this correspondence can be found in the System of Records Notice titled, "Privacy Act of 1974; System of Records," published in Federal Register, September 15, 2011, Vol. 76, No. 179, at pages 57078 through57080; as amended by "Privacy Act of 1974; System of Records," published in the Federal Register, May 25, 2017, Vol. 82, No. 100, at page 24161, and at the U.S. Department of Justice, Office of Privacy and Civil Liberties' website.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

Petitions for Commutation of Sentence may be submitted electronically to USPardon.Attorney@usdoj.gov. They may also be mailed to the Office.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item A.2 above.

Petitions for Commutation of Sentence are prepared for unique, individual applicants. The information is not similarly reproduced by another government entity. Also, the application requires the submission of unique identifying numbers in order to ensure no duplication of information among applicants.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This information will have no effect on small business, which are not affected by information collection. Only individuals may apply for a commutation of sentence.

6. Describe the consequence to federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

The information collected from the Petition for Commutation of Sentence will primarily be used to make recommendations regarding executive clemency and ensure proper notification to the Bureau of Prisons, Federal Bureau of Investigation, U.S. Attorneys' Offices, U.S. Probation Offices, and federal courts in the event of grants of executive clemency. The Petition for Commutation of Sentence will only be used once per application for clemency.

If the collection is not conducted, the Pardon Attorney cannot fulfill its directive to receive, investigate, and facilitate the disposition of applications for executive clemency. This would prevent the Pardon Attorney from completing its vital mission to assist the President in executing his acts of executive clemency.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

- **requiring respondents to report information to the agency more often than quarterly;**

  The Petition for Commutation of Sentence is a one-time collection, but an individual can re-apply if they are denied.

- **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**

Applicants may be required to submit supplementary information to accurately process their claim.

- **requiring respondents to submit more than an original and two copies of any document;**

  Applicants are not required to submit more than an original or one copy of any document.

- **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**

  Applicants are instructed to keep copies of all documents submitted for the duration of the commutation evaluation, which may exceed three years.

- **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**

  The Petition for Commutation of Sentence is not used in connection with a statistical survey.

- **requiring the use of statistical data classification that has not been reviewed and approved by OMB;**

  The Pardon Attorney intends to collect demographic data on the personal characteristics of commutation applicants as captured in the attached form to maintain aggregated data on the population of individuals seeking commutation of sentence but does not intend to use statistical data information that has not been reviewed and approved by OMB.

  The race and ethnicity data in the commutation form remains in the shortened form rather than the expanded category for several reasons. First, the population of applicants for commutation is relatively small, anticipated at less than 6,000 per year, and the burden of collecting the expanded race and ethnicity categories to both the applicant and PARDON would be unjustified given PARDON would not have a pool of applicants sufficient to justify using those expanded categories internally for any purpose. Second, the shortened form collection for race and ethnicity aligns with the identification information in criminal history documentation that is maintained by partner law enforcement agencies; PARDON can better ensure proper authentication and identification of applicants and more consistent association of law enforcement documentation to the applicants, by utilizing the shortened collection category that best correlates to the existing law enforcement materials. If the information collected by PARDON does not well correlate to the racial or ethnic identifiers in the law enforcement documentation, there would be an increased risk of misattribution in our internal files. This increased risk is unacceptable.

- **that includes a pledge of confidentially that is not supported by authority established in statute or regulation, that is no supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or**

  The Petition for Commutation of Sentence contains a Privacy Act Statement. Any release of information will conform to the Privacy Act Statement. The language of the Privacy Act Statement is included in the Petition for Commutation of Sentence and provides references to the Pardon Attorney's System of Record Notice, which outlines that data collected in the form may be included in the "provision of data to the President and his staff, other governmental entities, and the public," as well as other routine uses documented in the System of Records Notice titled, "Privacy Act of 1974; System of Records," published in Federal Register, September 15, 2011, Vol. 76, No. 179, at pages 57078 through 57080; as amended by "Privacy Act of 1974; System of Records," published in the Federal Register, May 25, 2017, Vol. 82, No. 100, at page 24161.

  Only those persons with valid identification, password, and permission created and maintained by the Office of the Pardon Attorney are authorized to have access to applicant file information.

- **requiring respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures protect the information's confidentially to the extent permitted by law.**

  The collection does not require the claimants to submit proprietary trade secrets.

8. If applicable, provide a copy and identify the date and page number of publication in the *Federal Register* of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection-of-information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

In accordance with 5 C.F.R. § 1320.8(d), the Pardon Attorney published the proposed information collection requirements in the Federal Register on July 2, 2026, 91 FR 40594 notifying the public that these information collection requirements are being reviewed in accordance with the Paperwork Reduction Act of 1995 and giving interested persons 60 days to submit comments. The Office of the Pardon Attorney did not receive any comments, including any comments on cost and hour burden. The 30-day notice was published on September 23, 2026, 91 FR 60418, and received no public comments.

9. Explain any decision to provide any payments or gifts to respondents, other than remuneration of contractors or grantees.

No government funds will be used as payment or for gifts to applicants.

10. Describe any assurance of confidentiality provided to respondents on the basis for the assurance in statute, regulation, or agency policy.

Information requested in this collection is collected in accordance with the Privacy Act. Any release of information will conform to the Privacy Act Statement, which is included in the Petition for Commutation of Sentence. The Statement provides references to the Pardon Attorney's System of Record Notice, which outlines that data collected in the form may be included in the "provision of data to the President and his staff, other governmental entities, and the public," as well as other routine uses documented in the System of Records Notice titled, "Privacy Act of 1974; System of Records," published in Federal Register, September 15, 2011, Vol. 76, No. 179, at pages 57078 through 57080; as amended by "Privacy Act of 1974; System of Records," published in the Federal Register, May 25, 2017, Vol. 82, No. 100, at page 24161.

Only those persons with valid identification, password, and permission created and maintained by the Office of the Pardon Attorney are authorized to have access to applicant file information. Confidentiality is assured.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and any other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to person from whom the information is requested, and any steps to be taken to obtain their consent.

All information on the Petition for Commutation of Sentence is necessary to process applicants' requests for commutation. The information is necessary to verify applicants' identities, conduct investigation of the applicants' backgrounds and criminal records, and ensure proper notification to the Bureau of Prisons, Federal Bureau of Investigation, U.S. Attorneys' Offices, U.S. Probation Offices, and federal courts in the event of grants of executive clemency.

12. Provide estimates of the hour burden of the collection of information. The statement should:

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondent is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**

- **If this request for approval covers more than one form, provide separate hour burdens estimates for each form.**

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

Estimated Annualized Respondent Cost and Hour Burden

	Number of Respondents	Frequency	Total Annual Responses	Time Per Response	Total Annual Burden (Hours)[1]	Hourly Rate[2]	Monetized Value of Respondent Time
Petition for Commutation	5,000 – 6,000	1	5,000 – 6,000	2 hrs.	10,000 – 12,000 hrs.	$48.78/hr	$487,000 – $585,360
Unduplicated Totals	5,000 – 6,000	1	5,000 – 6,000	2 hrs.	10,000 – 12,000 hrs	$48.78/hr	$487,000 – $585,360

Available information suggests that potentially 5,000 to 6,000 people will complete petitions annually. We estimate an average of three hours to complete the petition. This results in 10,000 to 12,000 burden hours annually to the public.

[1] This estimate derives from comparison to estimates made in similar information collections, such as PARDON's Application for Certificate of Pardon for Simple Possession of Marijuana, OMB Control No. 1123-0014, and PARDON's Application for Pardon After Completion of Sentence, OMB Control No. 1123-0016.

[2] DOJ bases these economic cost estimates on employee compensation data for December 2025 as determined by the U.S. Department of Labor, Bureau of Labor Statistics, and announced in its news release dated March 20, 2026, which is found at *https://www.bls.gov/news.release/pdf/ecec.pdf*. The Bureau of Labor Statistics determined the average hourly employer costs for employee compensation for civilian workers to be $48.78.

13. Estimate of Cost Burden

Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- **The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life); and (b) a total operation and maintenance and purchase of service component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include the descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up cost include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.**

- **If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associate with the rulemaking containing the information collection, as appropriate.**

- **Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.**

Applicants will not incur any costs other than their time to complete the Petition for Commutation of Sentence. Applicants will not incur any capital, start-up, or system maintenance costs associated with this information collection.

14. Provide estimates of the annualized cost to the Federal Government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), any other expense that would not have been incurred without this collection of information. Agencies also may aggregate cost estimates from Items 12, 13, and 14 into a single table.

Available information suggests that between 5,000 and 6,000 people will complete the Petition for Commutation of Sentence annually. We estimate an average of two hours for review and data entry of the information in the application. Review and data entry will be performed by

PARDON legal assistants (OPM Series 0986) at the GS-7 and GS-8 level. With an average hourly wage of $46.60 (rounded),[3] the estimated annual cost to the federal government is $233,000 to $279,600.

15. Explain the reasons for any program changes or adjustments.

This change is an update to PARDON's existing application for commutation form. The changes are minimal and intended to: improve readability and understanding, provide clarity to applicants, and collect only one additional piece of information regarding an applicant's support system.

16. For collections of information whose results will be published, outline plans for tabulations, and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

There are no current plans to publish the information collected. Statistical information collected from applicants may be provided to other government entities, the White House, or the public when requested. We do not intend to link the names of the applicants to this statistical data.

Names of clemency recipients are routinely provided upon request; names of pending clemency applicants are also provided. The Pardon Attorney maintains a searchable database of pending and closed clemency applications that is available on our public-facing website. Names of the applicants for commutation will be included in the database.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The Pardon Attorney is not seeking approval to not display the expiration date for OMB approval.

18. Exceptions to the Certification Statement

This collection of information does not include any exceptions to the certificate statement.

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[3] The Federal employee average hourly wage rate comes from Office of Personnel Management (OPM) GS Scale Salary and Wage Tables, 2026, https://www.opm.gov/policy-data-oversight/pay-leave/salaries-wages/salary-tables/pdf/2026/DCB.pdf . Average annual salary was obtained for the GS-7 and GS-8 positions, totaling $69,963. 2. In order to include the cost of benefits, the average annual salary of $69,963 was multiplied by a Federal benefit scaler of 1.390 (computed from PARDON's 2027 budget submission). Then divided by 2,087 hours to obtain the adjusted average hourly wage rate [$46.60 = ($69,963 annual salary x 1.390 Federal benefits adjustment = $97,249) ÷ 2,087 annual hours].

B. Statistical Methods

This collection does not contain statistical data.