

SECTION a

**BIDEN-HARRIS
TRANSITION**

January 17, 2021

MEMORANDUM FOR PHILIP DROEGE
Director
Office of Records Management

FROM: JESSICA HERTZ
Staff Secretary

SUBJECT: Approval for Presidential Signatures

The following individuals are authorized to approve use of the President's signature pen in areas of responsibility as noted:

Chief of Staff	for all matters;
Staff Secretary	for all matters;
Deputy Staff Secretary	for all matters in the absence of the Staff Secretary consistent with the Staff Secretary's direction;
Executive Clerk	for official documents in accordance with specific direction from the Staff Secretary;
Director of Correspondence Deputy Director of Correspondence	in accordance with approved procedures for correspondence not involving policy matters; for standardized policy materials after clearance by the Staff Secretary; and for Presidential messages in accordance with specific direction – and with any new policy language only after clearance by the Staff Secretary;
Director of Correspondence Deputy Director of Correspondence	for photographs in accordance with specific direction from the Staff Secretary.

If individuals other than those above seek or claim authorization, please refer them to this office. Any questions, concerns, or doubts about any request or claim of approval should be immediately referred to this office for clarification. As a matter of course, verbal authorizations will not be provided – only written or initialed approvals.

This memorandum supersedes any on the same subject.

SECTION b

Decision Memo – Autopen Use

DECISION	
APPROVE _____	APPROVE AS AMENDED _____
REJECT _____	DISCUSS _____

DECISION MEMO

February X, 2021

MEMORANDUM FOR THE PRESIDENT

FROM: Jess Hertz, Staff Secretary, 202-881-7718
Michael Hochman, Deputy Staff Secretary, 202-881-6236

CC: Ron Klain, Jen O'Malley Dillon, Bruce Reed, Annie Tomasini

SUBJECT: Approval of Routine Documents by Use of the Autopen

Statement of Purpose

This memorandum proposes general guidelines for which documents should be hand-signed by **YOU** and which documents may have **YOUR** signature affixed by use of the Autopen.

In addition, for documents that we recommend to be signed by Autopen, this memorandum proposes narrow categories of routine, high-volume documents that may be approved by one or more of **YOUR** senior advisors and executed with the Autopen on **YOUR** behalf.

This memorandum provides a proposed update of prior Autopen guidelines that **YOU** approved during Transition. These recommendations are intended to provide a framework for a more efficient signature process for **YOU**.

[APG] of [ANP]

Analysis

I. Documents for YOUR Consideration, Approval, and Original Hand Signature

Based on precedent from the Obama-Biden Administration regarding which documents generally are hand-signed by the President, our recommendation is that as a general rule, **YOU** personally approve and hand-sign all decisions that require Presidential action. The proposed categories are as follows:

- Congressional Bills
- Veto Messages
- State of the Union Address
- Highly personal or customized correspondence (e.g., letters to American and international leaders with whom you share a close, personal relationship; family and close friends)
- Mass casualty and military condolence letters¹
- Presidential Medal of Freedom Citations
- Medal of Honor Citations
- Departure photos for Assistants to the President (APs) and Deputy Assistants to the President (DAPs)
- Presidential commissions for APs
- Cabinet-level commissions of appointments
- Agreements with a foreign government
- Pardon letters
- Other ceremonial items that are objects rather than paper
- Other documents that **YOU** choose to hand-sign

II. Documents for YOUR Consideration, Approval, and Execution on YOUR behalf by Autopen

Again, based on precedent from the Obama-Biden Administration, our recommendation regarding which documents generally may be executed by Autopen on **YOUR** behalf after your review and consideration are as follows:

¹ While the hope is few such letters will be necessary during any Administration, circumstances may require additional consideration.

[APG] of [ANP]

Decision Memo – Autopen Use

- Executive actions that are not associated with a signing ceremony
- Personnel appointments or designations
- Foreign leader correspondence and holiday cards
- Commemorative Proclamations
- General correspondence
- Annual reports required by statute
- Photographs not associated with any exceptional circumstances, including departure photos for staff who are not APs or DAPs
- Renewals of national emergency declarations
- Federal disaster declarations

III. Execution by Autopen of a Limited Set of Documents that Do Not Require YOUR Prior Approval.

Based on procedures followed during **YOUR** 2020 presidential campaign and when **YOU** were Vice President, we propose a limited exception for certain categories of high-volume or routine materials that, instead of requiring **YOUR** personal review, could be approved for use of the Autopen by **YOUR**: (1) Staff Secretary's Office (Jess Hertz, Michael Hochman), and (2) Chief of Staff's Office (Ron Klain, Bruce Reed, Jen O'Malley Dillon). —

Both Staff Secretary and Chief of Staff's Offices' use of the Autopen for these limited categories – absent your prior approval – would be authorized only after consultation with the Director of Oval Operations, Annie Tomasini and/or pursuant to other limitations that **YOU** choose.

For this limited purpose, we propose the following categories:

- Certain sub-Cabinet-level designations of acting officers and other routine personnel actions can be approved by **YOUR** Chief of Staff.
- Commemorative Proclamations unlikely to garner significant media attention and breaking no new policy ground, e.g., American Heart Month or National Volunteer Week, can be approved by **YOUR** Staff Secretary in consultation with **YOUR** Senior Advisors.
- General correspondence, annual reports required by statute, and photographs not associated with any exceptional circumstances, can

[APG] of [ANP]

Decision Memo – Autopen Use

be approved by **YOUR** Staff Secretary, in consultation with **YOUR** Senior Advisors as needed and appropriate.

- Renewals of national emergency declarations can be approved by **YOUR** Deputy Chief of Staff for Operations.
- Federal disaster declarations can be approved by **YOUR** Deputy Chief of Staff for Operations subject to **YOUR** consultation.

Recommendation

We recommend that **YOU** approve: (1) the proposed categories of documents in Section I above that generally will include your original hand-signature; (2) the proposed categories of documents in Section II above that may be executed on **YOUR** behalf with the Autopen; and (3) the proposed narrow categories of documents that generally may be approved by one of **YOUR** senior advisors and executed on **YOUR** behalf by Autopen without **YOUR** prior consideration and approval.

Of course, such decisions are subject to any specific exceptions or circumstances **YOU** prefer at this time, or at a later date.

[APG] of [ANP]

SECTION c

February 23, 2024

MEMORANDUM

TO: DeAnna Evans, Associate Counsel

FROM: Isa Qasim, Deputy Associate Counsel

CC: Gabriel Barnett, Senior Legal Assistant
Grace Liljenwall, Special Assistant to the White House Counsel

SUBJECT: Clemency Process

I. Statement of Purpose

This memorandum details the process members of the WHCO clemency team has followed for previous Biden-Harris Administration clemency and pardon packages. While no review is identical, my understanding is this general pattern has been consistent throughout the term.

II. Clemency Process

- *White House Initial Scoping:* Soon after the announcement of the previous clemency package, the WHCO clemency team meets with senior advisors (listed below) to discuss the plan for the next round of clemency recipients. The clemency team comes to the meeting with a proposed approach for the next round of clemency grants and receives feedback from senior advisors. Although the clemency team has previously proposed categorical clemency actions, senior advisors have preferred to focus on individual review and the appropriate criteria for that review.
 - White House Counsel's Office: Ed Siskel, White House Counsel, and Tyesha Dixon, Deputy Counsel.
 - Chief of Staff's Office: Anita Dunn, Senior Advisor, and Bruce Reed, Deputy Chief of Staff for Policy (or Vivek Viswanathan, Senior Advisor).
 - Domestic Policy Council: Neera Tanden, Director of the Domestic Policy Council
 - Office of Public Engagement: Mayor Stephen Benjamin
 - Office of the Vice President: Erica Songer, Counsel to the Vice President.

Commented [EDEE1]: Additional detail regarding the nature of these discussions would be helpful.

Commented [QICE2R1]: Added sentences to provide a bit more context.

[APG] of [ANP]

Briefing Memo – Clemency Process

- *DOJ Recommendation Transmittal:* The Department of Justice's (DOJ) Office of the Pardon Attorney (Pardon) then prepares a package of clemency and pardon recommendations consistent with the senior advisors' guidance during the White House initial scoping process. After the package is cleared by ODAG and signed by the Deputy Attorney General, Pardon then transmits the recommendations package to the WHCO clemency team.
 - *Note:* This often happens on a rolling basis as Pardon and ODAG review petitions.
- *Petition Review and Preparation of Clemency Summaries:* The WHCO clemency team reviews the more fulsome recommendations from DOJ and prepares brief (i.e., 1-3 page) summaries for consideration by the whole clemency team, including the Deputy White House Counsel for the Racial Justice and Equity team (Deputy White House Counsel), and the White House Counsel. These summaries offer an initial recommendation on clemency and assess whether the petitions align with the criteria set forth by the senior advisors.
- *WHCO Adjudication and Deliberation:* The WHCO clemency team, including the RJE Deputy, reviews the recommendations and summaries and discusses the candidates in the first instance. The WHCO clemency team agrees on a package of clemency recipients for the White House Counsel to review.
- *Senior Advisor Approval:* After the White House Counsel determines which petitions to approve and advance, the WHCO clemency team circulates an email to senior advisors with the petition summaries, a "toplines" document providing demographic data of the package, and draft comms material such as a draft presidential announcement for the package. The WHCO clemency team fields initial questions for senior advisors, and then convenes a meeting to review the petitioners. The WHCO clemency team summarizes each of the petitions, highlighting difficult cases for discussion. At this stage, senior advisors may approve some or all of the candidates for the President's review. Alternatively, depending on considerations like timing and number of candidates, they may decide to hold the package altogether for a later date. They may also ask for more information on some candidates.

Commented [EDEE3]: This placement seems a bit odd. Perhaps it would make better sense to provide more context about the nature of the discussions with SAs and indicate that the discussion centers on determining a set of selection criteria for clemency and pardon recommendations moving forward. Then provide examples of those criteria.

Commented [QICE4R3]: I've tried to provide that detail above and so deleting these paragraphs.

Commented [QICE5]: "Clemency" refers to both commutations and pardons, so when we are referring to both, generally use clemency generally

Commented [EDEE6]: Please parse to describe the deliberations within the team versus the deliberation with the RJE Deputy.

Commented [QICE7R6]: Historically, once the summaries were prepared, they were circulated to each member of the clemency team, including the RJE deputy, and we then discussed any flags as a group. We did not do an initial deliberation before involving the deputy.

Commented [EDEE8]: Wouldn't the team then tee up a package for the Deputy and then the Deputy decide on next steps and the petitions before sending up to Ed?

Commented [QICE9R8]: As noted above, we generally did not bifurcate the review in this way—it tended to be more informal.

Commented [EDEE10]: Please describe the process for the WHIC review and the materials that the clemency provides to him.

Commented [EDEE11]: Is there a category of recommended petitions that go up to the SAs and then another set that go up to SAs where WHCO has not decided on? Please clarify.

Commented [QICE12R11]: We generally presented it as "we are supportive here, but we know it touches on concerns you've raised or is a close case for other reasons. So we are highlighting it for special discussion." But I think this note is more confusing than helpful, so

Commented [EDEE13]: Briefly describe the components of the memo.

Commented [QICE14R13]: I've reviewed my emails and found that we have not previously drafted a memo for senior advisors at this stage. Instead, we have

Commented [EDEE15]: Please describe in chronological order.

Commented [QICE16R15]: Not sure what is meant here, but at the meeting we have verbally summarized the petitions, spending more time on the difficult cases.

Commented [EDEE17]: At some point in the memo, you should describe the general cadence of these petitions, including aiming for a set of approvals during April for

Commented [QICE18R17]: I believe this is now covered by the clemency plan memo. We tried to do clemency actions on a rolling basis, proposing actions to

[APG] of [ANP]

Briefing Memo – Clemency Process

- *Note:* In the past, senior advisors have initially approved certain petitions at this stage only to raise concerns later in the process. Unfortunately, this has caused delays.
- *Note:* In these meetings, the Vice President is represented by her legal counsel, Erica Songer. Before a decision memo is transmitted to the President, the Vice President has previously requested to review the petitioners individually and has raised detailed questions with the WHCO clemency team. This has also introduced significant, unexpected delays. Therefore, planning for the Vice President's individual review of candidates would likely help expedite the process.
- *Note:* The Staff Secretary (Staff Sec) has traditionally not been included at this stage. Last round, however, Staff Sec pulled two candidates once the President's decision memo reached their office. The current Staff Sec also holds domestic policy equities as head of the Office of Gun Violence Prevention; therefore, including Staff Sec at the "Senior Advisor Approval" stage would help avoid such disruptions.
- *WHCO Vetting:* Once senior advisors approve of the package, the WHCO clemency teams vets the petitions. This vet includes reviewing publicly available information on petitioner liens, past convictions, media coverage, and social media use. We also ask Pardon for an update on infractions incurred by the petitioners while in custody. The WHCO clemency team, include the RJE Deputy, then reviews any flags and decides whether to pull any petitions. The White House Counsel is generally not consulted at this stage, although he is notified if candidates fell out.
 - *Note:* Each vet is fairly time intensive, taking about an hour per petitioner. Comms Research and PPO have at times helped with vets, but this depends on their capacity. Depending on how much time passes between this stage and the final announcement, we may re-vet the candidates to ensure there are no new flags.
- *Presidential Decision Memo Preparation:* The WHCO clemency team prepares a decision memo for the President outlining the proposed clemency package, with the recommendation summaries attached as an appendix. The package has previously been paired with the proposed announcement of other clemency or policy programs. Once the memo is cleared by the Deputy White House Counsel and White House Counsel, it is then circulated to senior advisors for approval. Once senior advisors clear the memo, it is

Commented [EDEE19]: To whom? Are there examples of the types of qusted posed?

Commented [QICE20R19]: In the past they were posed to Rhea. I've copied two questions and our responses below, for your awareness of what they can look like:

1. For Higgins, can you share which agency the 1993 criminal homicide case was shared with and why no further details are available?

DOJ was unable to find any additional information on the homicide arrest. The PSR says "Released to other agency" in lieu of a disposition. DOJ was unable to get anymore clarity after searching the federal docket, both Kansas and Missouri state records, and Higgins' rap sheet.

2. For Higgins, am I right that he would serve an additional 9 years, 4 months (7 years, 4 months in prison, and an additional 2 years under home confinement)?

DOJ has provided us an updated calculation on Higgins' likely release date taking into account good time credit he is likely to earn. If sentenced to the 300-month term recommended by ODAG, he would likely have a release date between February and April 2029, beginning home confinement two years before that.

Commented [EDEE21]: State more specifically the step in the process you are recommending based on the section headings above.

Commented [QICE22R21]: Done!

Commented [EDEE23]: Who makes these determinations and at which stage? How does the role of the team differ from the Deputy's role? When is the WHC looped in?

Commented [QICE24R23]: Again, these reviews have been done collaboratively, with the entire team, including the deputy, reviewing the flags and discussing. Generally the WHC's in put has not been sought, but he is told if some candidates have dropped out.

Commented [EDEE25]: Hasn't PPO also assisted at times as well?

Commented [QICE26R25]: You're right

Commented [EDEE27]: Not quite sure what this means.

Commented [QICE28R27]: I am thinking here of the marijuana pardon or the clemency denials, as two examples. Often, there is an interest in not having the clemency action be entirely standalone.

[APG] of [ANP]

Briefing Memo – Clemency Process

submitted to Staff Sec, where it often undergoes many rounds of stylistic edits.

- *Note:* As noted above, at this stage the Vice President has personally reviewed the petitions.
 - *Note:* Last round, the memo was held for weeks during Staff Sec's review of the memo. We have been assured this will not be the case going forward.
- *Presidential Approval:* Once Staff Sec clears the decision memo and appendix, it is sent to the President for approval.
 - *Note:* Given the President's schedule, it can often take days or weeks for the President to review and approve the clemency package. The Chief of Staff's Office has been helpful in getting the paper in front of him for his review. He has previously asked the White House Counsel to discuss the candidates with him, although in the last round the Vice President's approval was sufficient to obtain his approval.
- *Rollout Preparation:* While the decision memo is with Staff Sec and the President, the WHCO clemency team meets with Comms, OPE, OLA, and DPC on a rollout plan for the package. Depending on the context and the particular package, we have taken very different approaches to the public-facing rollout. In all cases, the WHCO clemency team has drafted responsive TPs, hard Q&A, a presidential statement, and a clemency/pardon recipient list for the White House website.
- *DOJ Coordination and Notification:* Once the President approves the package, the WHCO clemency team notifies Pardon and ODAG, which coordinates notifying BOP and the recipients the day before the announcement. Pardon also prepares the warrant for the commutation, which the WHCO clemency team copyedits carefully.
 - *Note:* OLA, OPE, and Comms pre-notifies to legislative staff, stakeholders, and media also take place the day before the announcement.
- *Presidential Signature:* The day of the announcement, the WHCO clemency team coordinates the President's signing of the warrant and the delivery of the warrant by courier to Pardon.
- *White House Announcement:* The same day, the White House posts the clemency recipient list and any accompanying presidential statement.

Commented [EDEE29]: Does Ed play a role in this at all? If so, please describe.

Commented [QICE30R29]: As noted in the "Presidential Approval" section, in the past the Counsel has been asked to discuss the petitions with the President. He has not been involved with coordinating with DOJ.

Commented [EDEE31]: What does this mean?

Commented [QICE32R31]: Pre-notifies are alerts before the announcement that these offices give to the relationships they manage. Appropriate pre-notifies are discussed during the "Rollout Preparation"

Commented [EDEE33]: What does this entail?

Commented [QICE34R33]: Grace works with the outer oval to coordinate the logistics of the signing and ensuring there is a courier ready to deliver the warrant to DOJ.

[APG] of [ANP]

SECTION d

From: Po, Rosa EOP/WHO
Sent: Wed, 11 Dec 2024 10:49:03 -0500
To: Byon, Fiona K. EOP/WHO; Feldman, Stefanie G. EOP/WHO; El-Khoury, Adele M. EOP/WHO
Cc: Siskel, Ed N. EOP/WHO; Posada, Michael R. EOP/WHO; Reed, Bruce N. EOP/WHO; Zients, Jeffrey D. EOP/WHO; Ruffner, Richard B. EOP/WHO; Schenk, Joshua M. EOP/WHO
Subject: P decisions on Clemency / Pardons

COS Jeff Zients got POTUS's verbal approval on the following decisions during a Thursday, December 5 decisional meeting with POTUS, Jeff Zients, Ed Siskel and Bruce Reed:

- P approved the categorical commutation of the sentences of individuals on CARES Act home confinement who have demonstrated good behavior. This number is approximately 1,518, with a final number to be determined with Bureau of Prisons.
- P approved pardons for 39 individuals – former military service members and survivors of domestic violence – who committed non-violent low-level offenses and have since demonstrated significant rehabilitation and contributions to their communities.

From: Po, Rosa EOP/WHO
Sent: Sat, 21 Dec 2024 17:59:12 -0500
To: Byon, Fiona K. EOP/WHO; Feldman, Stefanie G. EOP/WHO; El-Khoury, Adele M. EOP/WHO
Cc: Siskel, Ed EOP/WHO; Posada, Michael R. EOP/WHO; Reed, Bruce N. EOP/WHO; Zients, Jeffrey D. EOP/WHO; Schenk, Joshua M. EOP/WHO
Subject: P decision / commutations of 37 people

COS Jeff Zients got POTUS's verbal approval on the following decision during a 12/11 decisional meeting with POTUS, Jeff Zients, Ed Siskel and Bruce Reed:

- P approved the commutation of the sentences of 37 of the 40 individuals on death row to life without the possibility of parole.

From: Po, Rosa EOP/WHO
Sent: Thu, 16 Jan 2025 17:29:10 -0500
To: Byon, Fiona K. EOP/WHO; Feldman, Stefanie G. EOP/WHO
Cc: Siskel, Ed EOP/WHO; Posada, Michael R. EOP/WHO; Reed, Bruce N. EOP/WHO; Zients, Jeffrey D. EOP/WHO
Subject: P decision on commutations

Hi Stef and Fiona -

On January 11, 2025, POTUS met with Jeff, Ed and Bruce and the President decided to commute the sentences of those with crack-powder sentencing disparities who were determined by DOJ not to have a high likelihood of recidivism as determined by standards set by the First Step Act. He also decided to commute the sentences of 21 petitioners on home confinement.

Thanks,
Rosa

From: Po, Rosa EOP/WHO
Sent: Sun, 19 Jan 2025 22:28:44 -0500
To: Byon, Fiona K. EOP/WHO; Feldman, Stefanie G. EOP/WHO
Cc: Siskel, Ed EOP/WHO; Posada, Michael R. EOP/WHO; Reed, Bruce N. EOP/WHO; Zients, Jeffrey D. EOP/WHO
Subject: P decisions on commutations and pardons

Hi Stef and Fiona –

On January 19, 2025, POTUS met with Ed, Bruce, Steve, Annie, and Anthony, and the President decided on the following clemency actions:

The President decided to grant a pardon to following individual:

- Ernest Cromartie II

The President decided to rescind his approval of the pardon for the following individual:

- Don Siegelman

The President decided to grant pre-emptive pardons to the following individuals:

- James B. Biden, from January 1, 2014 through the date of the pardon
- Sara Jones Biden, from January 1, 2014 through the date of the pardon
- Valerie Biden Owens, from January 1, 2014 through the date of the pardon
- John T. Owens, from January 1, 2014 through the date of the pardon
- Francis W. Biden, from January 1, 2014 through the date of the pardon

In addition to the President's decision on January 18 to grant pre-emptive pardons to the Members of Congress and staff who served on the Select Committee to Investigate the January 6th Attack on the United State Capitol, the President decided on January 19 to grant pre-emptive pardons to the following individuals:

- The Metropolitan and Capitol Police Officers who testified before the Select Committee to Investigate the January 6th Attack on the United State Capitol

Thanks,
Rosa

3. All notes taken by staffers in meetings with the President regarding pardons, commutations, or clemency. We searched the meeting notes of all individuals you mentioned as likely having met with the President to discuss pardons, commutations, or clemency. **We searched both electronic and textual records. On the textual side, we searched the textual boxes for all of the named people and also reviewed the relevant late processed boxes or boxes that were not scanned by ORM. We did not find specific meeting notes that clearly mention or note that the President was present.**

SECTION e

COVERAGE ROUNDUP

December 13, 2024

MEMORANDUM FOR THE PRESIDENT

FROM: Ben LaBolt, Senior Advisor, 202-881-9398
Karine Jean-Pierre, Press Secretary, 202-881-9794

SUBJECT: Coverage Roundup of **YOUR** Clemency Actions

DATE: Thursday, December 12, 2024

OVERVIEW:

YOUR communications and press teams compiled the below report of media coverage on **YOUR** historic action to grant clemency to over 1,500 Americans – the most ever in a single day. **YOUR** announcement generated significant positive press coverage and positive statements from officials and advocates commending your decision.

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Coverage Roundup: YOUR Clemency Actions

MORE PUZZLES, MORE FUN FULL PAGE IN LIFE WEEK IN REVIEW THIS WEEK'S TOP NEWS, 8A

USA TODAY WEEKEND

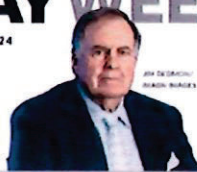
THE NATION'S NEWS | \$3 | DECEMBER 13-15, 2024

Athletes caught in smuggling scheme

College football players earned money driving migrants across the border. In **Weekend Extra**

Tackling the state of the superhero

Where the industry is now, from 'X-Men' to 'Deadpool' highs, and peek at future. In **Life**



Belichick flips the script once again

Taking a last shot at NFL teams seemed to want to quit him, he looks to wake up N.C. In **Sports**

New wave of ghost guns raises alarms



A Bureau of Alcohol, Tobacco, Firearms and Explosives representative displays a 3D-printed handgun in Martinsburg, W.Va. **USA TODAY VIA GETTY IMAGES**

CEO's killing spotlights 3D-printed weapons

Michael Lewis and Nick Panzanatelli **USA TODAY**

For decades, America's detectives have made breakthroughs in crime using gun traces. A homicide investigator typically uses ballistics and serial numbers of weapons checked into a vast network of gun shop records, manufacturer IDs and crime databases. But those sleuthing tactics are fast

becoming old-school science as a new era of weapons increasingly hits the nation's streets: untraceable 3D-printed guns and silencers like the ones found this week on suspected killer Luigi Mangione. And as the price of 3D printers continues to drop — Amazon sells some models for \$300 or less — their availability will attract more attention from criminals, experts told **USA TODAY**.

The ghost gun and silencer found at a Pennsylvania McDonald's in the back pack belonging to the man accused of killing UnitedHealthcare's CEO were

made using a 3D printer plus readily available metal parts, according to Atlanta Police.

"It was only a matter of time before one of these was used in a high-profile shooting," said David Pozner, legal director at the gun violence prevention group Giffords Law Center. Mangione's homemade firearm, which prosecutors linked Wednesday to shell casings at the scene of Brian Thompson's murder, is just the latest example of a troubling and growing

See **GHOST GUNS**, Page 4A

Prescribed childbirth drugs set off parents' nightmare



Victoria Villanueva and her children share strawberries outside their Indiana home. **ANDY ZIEGLER FOR THE NATION'S PROJECT**

Hospitals give mothers meds, then report them

Shoshana Walter **The National Project**

Amaira Salinas was 32 weeks pregnant with her fourth child in 2023 when doctors at a Texas hospital discovered that her baby no longer had a heartbeat. As they prepped her for an emergency cesarean section, they gave her midazolam, a benzodiazepine commonly prescribed to keep patients calm. A day later, the grieving mother was cradling her

stillborn daughter when a social worker stopped by her room to deliver another devastating blow: Salinas was being reported to child welfare authorities. A drug test had turned up traces of benzodiazepine — the very medication that staff had administered before wheeling her into surgery.

For Victoria Villanueva, pregnant with her first child, the drug detected in her baby's system was morphine. Villanueva had arrived at an Indiana hospital at 40

weeks to have her labor induced. To ease the pain of her contractions, doctors gave her narcotics. A day later, a social worker told the new mother: The baby's — meconium — or first bowel movement — had tested positive for opiates. Now, instead of bonding with her baby, Villanueva shook with fear that her newborn could be taken away. "I didn't even know how to find

See **DRUG TESTS**, Page 6A



President Joe Biden also pardoned 19 people convicted of nonviolent crimes. **JON MATSUDEN/GETTY IMAGES**

Biden gives clemency to more than 1,500, considers more

White House: Recipients are most ever in one day

Cobb Howell and Joey Garrison **USA TODAY**

WASHINGTON — President Joe Biden is commuting the sentences of nearly 1,500 people who were placed in house confinement during the COVID-19 pandemic and pardoning 19 others convicted of nonviolent crimes.

The move, announced in a statement Thursday, is the largest single-day act of clemency in modern history, the White House said.

The president said in the statement that he would "take more steps in the weeks ahead" and continue to review clemency petitions to advance "equal justice under the law, promote public safety, support rehabilitation and reentry, and provide meaningful second chances."

The move came less than two weeks after Biden pardoned his son Hunter Biden for gun and tax felonies, igniting a bipartisan backlash and criticism from criminal justice activists who argued others more worthy of a reprieve lacked the same family connections.

Biden said that many of the 1,499

See **CLEMENCY**, Page 6A

Veteran feared he'd die alone, but hundreds bid him farewell

"Honestly, I thought it was another service. I didn't expect this at all. He had no living family," Hospice nurse Becky Lynn



World War II veteran Stephen Kolesnik Jr. is laid to rest Tuesday in Boscamen, N.H. Kolesnik died in hospice care Dec. 1 at age 97. **PHOTO BY KEVIN DOUGHERTY**

Katrina Meyers Alund **USA TODAY**

He had no living family. He was not famous. He lived alone.

Yet this week, hundreds of people gathered at the graveside of World War II veteran Stephen Kolesnik Jr. and watched as he was laid to rest.

"When you're a veteran, you've got family," a funeral speaker is captured on video saying during the service Tuesday at New Hampshire State Veterans Cemetery in Boscamen, a town 10 miles northwest of Concord, the state capital. "He was afraid he would die alone and look what has happened."

The U.S. Navy veteran died Dec. 1 in hospice care at age 97, according to his

See **VETERAN**, Page 6A



HOME DELIVERY
1-800-872-0001 USATODAYSERVICE.COM

[USA Today]

SECTION f

Decision Memo – Recommended Death Sentences Clemency Action

DECISION	
APPROVE _____	APPROVE AS AMENDED _____
REJECT _____	DISCUSS _____

DECISION MEMO

December 10, 2024

MEMORANDUM FOR THE PRESIDENT

FROM: Ed Siskel, White House Counsel, 202-881-7901

SUBJECT: Clemency for Capital Sentences (Death Row)

I. Statement of Purpose

We recommend that **YOU** use **YOUR** clemency authority to commute—to life imprisonment without the possibility of probation—the sentences of the 37 people the current Attorney General would not authorize for death today based on current charging standards.

II. Clemency Action

Currently, there are 40 people under a federal court death sentence. **YOUR** Administration issued a moratorium on executions, which remains active. Accordingly, no one has been executed during **YOUR** term.

YOUR staff has received significant outreach from dozens of advocacy groups, religious leaders, and elected officials urging **YOU** to commute all 40 prisoners' capital sentences to life imprisonment. These advocates include the Pope, the United States Conference of Catholic Bishops, the NAACP, the ACLU, Senator Warnock, and 35 House Democrats.

Even under today's charging practices, **three** of the 40 individuals would still qualify for a death sentence under DOJ's current standards (*i.e.*, they committed mass casualty hate crimes or terrorism). **YOU** could commute the sentences of the other 37 individuals to life imprisonment without the possibility of probation (or any other form of early release).

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