

SUPPORTING STATEMENT
FOR PAPERWORK REDUCTION ACT SUBMISSION

A. Justification

1. Circumstances Making the Collection of information Necessary

The information obtained through this collection is required to conduct the selection of each year's "class" of Presidential Scholars, as required by Executive Order of the President. The Presidential Scholars Program was established in 1964 by Executive Order 11155, to recognize the academic accomplishments of 121 outstanding graduating high school seniors. A later amendment, Executive Order 12158, allowed for the recognition of an additional 20 Scholars, for artistic achievement. Information is collected under Executive Order 11155 as amended by Executive Order 12158, and includes the applicant's name, social security number, address, and other biographical information provided by the student, as well as SAT/ACT scores, school transcripts, and essays. The Executive Orders are attached below, and may also be viewed at <http://www.ed.gov/programs/psp/legislation.html>. The questions included and the information requested in the collection have been identified by the current Presidentially-appointed Commission on Presidential Scholars, as necessary to carry out their charge of identifying and honoring the Scholars, in accordance with the stipulation of the original Executive order, which states, "The Commission, in accordance with such standards and procedures as it may prescribe and on the basis of its independent judgment, shall annually choose Presidential Scholars...".

2. Purpose and Use of the Information

The purpose of the information collection is to compile information about each student candidate who is applying (via the Presidential Scholars Program Application) to be recognized as a Presidential Scholar in that year. Eligible applicants are determined using scores and data provided by The College Board and ACT, Inc. This office invites the top 20 male and top 20 female scorers on the SAT and ACT assessments from each area required by the Executive Order (the 50 states, DC, Puerto Rico, the US Territories/US families abroad) to apply for recognition, resulting in an estimated potential pool of 2,600 respondents annually. (The eligible cohort includes all students "tied" for a qualifying score; so, for example, there may be as many as 80 eligible male candidates in a populous state like California, where that many young men may score a perfect 1600 on the SAT.) Interested candidates submit applications to be processed and organized for review by a contractor. This information is evaluated first by an independent review committee, which selects some 550 semifinalists, and finally by the Commission on Presidential Scholars, which selects up to 141 Scholars. After this, the information is used for the development of student biographies, press releases, talking points for Department and White House staff, and/or other publications or purposes.

In short, as stated in the published system of records notice System of Records notice published on December 3, 2003 (68 FR 67781-85), found at: http://www.access.gpo.gov/su_docs/fedreg/frcont03.html, the information is used: to determine the eligibility of candidates and review their applications in order to determine program semifinalists and finalists on an annual basis; develop and implement the program's annual recognition component; and carry out the authorizing Executive Order 11155 (1964) and its amendment, Executive Order 12158 (1979). The Department of Education may disclose information contained in a record in this system of records under the routine uses listed in the published system of records without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected. The Department may make disclosures on a case-by-case basis or, if the Department has complied with the computer matching requirements of the Computer Matching and Privacy Protection Act of 1988, under a computer matching agreement. Routine uses include:

- (1) Freedom of Information Act (FOIA) and the Privacy Act of 1974 Advice Disclosure. The Department may disclose records to the Department of Justice and the Office of Management and Budget if the Department concludes that disclosure is desirable or necessary in determining whether particular records are required to be disclosed under the FOIA. Under the FOIA, the public has the right of access to Federal agency records. Portions of the information contained in the systems covered by this routine use may be subject to the FOIA. However, much of the information in the system is also protected from disclosure under the Privacy Act of 1974. This routine use is compatible with the purposes of the systems to which it applies in that the Department can disclose records to the agencies responsible for litigation and interpretation of these Acts, ensuring that only material that may be disclosed under FOIA is actually disclosed.
- (2) Congressional Member Disclosure. The Department may disclose records to a Member of Congress from the record of an individual in response to an inquiry from the Member made at the written request of that individual. The Member's right to the information is no greater than the right of the individual who requested it. This routine use is compatible with the purposes of the systems to which it applies in that it helps protect the privacy and programmatic rights of individuals and resolve issues that may arise under the programs and activities to which the routine use applies.
- (3) Routine Programmatic Purposes. The Department may disclose records from this system of records in order promote the selection and recognition of students and the visibility of the program. In order to honor participants and Scholars pursuant to programmatic requirements, disclosures of records from this system will be made to the following entities for the purposes specified:
 - (a) Disclosures to the Review Committee and the Commission on Presidential Scholars. The program will provide copies of each candidate's complete application package to members of the program's review committee, and complete copies of each semifinalist's application package to the Commission, for selection of the Scholars, and in the case of the Commissioners, for in-state recognition ceremonies held for semifinalists and finalists.
 - (b) Disclosures to the general public announcing the program's candidates, semifinalists and finalists. The program will provide basic information from its

records for each candidate, semifinalist and finalist (Scholar) on the Presidential Scholars Program section of the Department's Web Site.

(c) Disclosures to the general public of the annual Presidential Scholars Yearbook. For recognition purposes as well as informational and, on rare occasions, research requests, the program will provide copies of the Presidential Scholars Yearbook which includes student photos, names, school, city, state, college of choice and student-written essays to Scholars, families, teachers, Commissioners, sponsors, potential candidates, researchers, and other interested parties. Due to limited numbers, copies are provided first to program participants and, if additional copies remain, in response to other inquiries.

(d) Disclosures to contractors for production of program recognition materials. The program will provide records to contractors for the printing of certificates and engraving of Scholar medallions. The Executive Order states that Scholars are to receive medallions, and occasionally the Administration wishes to provide certificates signed by the President.

(e) Disclosures to contractors and college-age interns to arrange Scholar accommodations, transportation, and other services. The program may provide records to area vendors in preparation for the program's "National Recognition Week," held annually in Washington, DC each June. During that week, Scholars travel to the nation's Capital at the program's expense to participate in educational and celebratory activities. At the same time, former Scholars return to the program as "Advisors," to assist with the program during National Recognition week. These Advisors also receive information relevant to the Scholars assigned to them.

(f) Disclosures to national, state and local media to publicize the Scholars and respond to press inquiries about them. Records are provided for the purpose of publicizing the Scholars and responding to press inquiries.

(g) Disclosures to the White House and federal agencies for briefings, speechwriting, or to obtain security clearances. Records are provided to the White House and federal agencies for the purpose of speechwriting and briefings for officials addressing the Scholars and guests at recognition events, or for security clearances at events attended by government officials or in buildings with limited access.

(h) Disclosures to national, state and locally-elected officials and their staff to notify them of candidates, semifinalists and Scholars in their states or districts, and to assist with other activities to recognize these individuals. Records are provided for the purpose of notifying elected officials to candidates, semifinalists and Scholars in their states or districts, and to assist with preparing congratulatory letters, certificates, and other honors or scheduling events or office visits in Washington or at home.

(i) Disclosures to state and local education officials to notify them of candidates, semifinalists and Scholars in their states, districts, or schools. Records are provided to Chief State School Officers, Superintendents of school districts, principals and guidance counselors for the purpose of notifying them of the candidates, semifinalists and Scholars in their states, districts, or schools.

3. Use of Information Technology and Burden Reduction

The collection involves the use of automated electronic, mechanical or other technological techniques in the form of the “PSAonline” application, which replicates in electronic format all the forms candidates need to complete for consideration as Presidential Scholars, and allows them to enter their information online. In addition to the option of completing and submitting their applications electronically, candidates without access to a computer and the Internet, or who prefer to complete their materials by hand, retain the option of completing and submitting paper applications. Students may request that the forms be mailed to them, and application documents are also placed online in PDF and Word format for applicants to print and complete. All options including the comprehensive on-line application system (accessible with valid user id and password through the Department’s website at <http://www.ed.gov/programs/psp/applicant.html>) are available to all eligible candidates during the application window of mid-January through mid-February.

The decision to adopt an electronic application process was prompted by numerous requests from applicants, and was intended to bring the program in line with the Government Paperwork Elimination Act (GPEA), which directs the Government to allow citizens to use electronic technologies when filing information with, or retrieving information from federal agencies. The program was designed to align with GPEA’s October 2003 deadline to provide public access to government services and documents and give the public the option of submitting government forms electronically. Feasibility studies conducted early in 2002 prior to the launch of the system indicated that the use of an electronic process would increase accuracy and productivity, make more effective use of staff and resources, improve the quality and integrity of data collection, and enhance the responsiveness of Government to its citizens, as the GPEA intends. There is no indication at this time that the use of the online system reduces burden in any significant way, as the electronic and paper processes are substantially similar.

To allow for OMB review of the online system as well as the draft 2010 application included as an attachment, the following user ids and passwords have been created. These will allow the OMB reviewer to log in by clicking on the “PSAonline login” link under “Guidelines” on the right side of the page at <http://www.ed.gov/programs/psp/applicant.html> (or by going directly to https://wdcrobcop01.ed.gov/CFAPPS/PSAO/login/logon_1.cfm) as a candidate (student), a parent, a recommender (teacher or school counselor) and a principal. For security reasons, the system will prompt the user to change his or her password at log-in, so the OMB user(s) should make a note of that new password if planning to log in several times. Because user access is typically limited to the application period, these passwords are set to expire on **06/24/2009**, but can be extended by contacting Melissa Apostolides as listed in the form OMB 83-I.

NEW STUDENT ID: UUse192078
NEW STUDENT PWD: t8AD4vyC

NEW PARENT ID: NUse192079
NEW PARENT PWD: Password1

NEW PRINCIPAL ID: PUse192080
NEW PRINCIPAL PWD: Password1

NEW RECOMMENDER ID: RUse192081
NEW RECOMMENDER PW D: Password1

One note regarding the “Voluntary Survey” included in this collection: we understand that OMB standards for the classification of federal data on race and ethnicity allow either of two formats – the two-question format or the combined format – to be used for the collection of such data, but that, in cases of self-identification, the two-question format is preferred to the combined format. However, we also understand that OMB intends soon to release updates to the data formatting; as soon as we receive the new agency- and OMB-approved format, we will replace the current combined format “Voluntary Survey” with a new version that uses the latest two-question data format.

4. Efforts to Identify Duplication and Use of Similar Information

Information collected is unique to this selection process and to each candidate in each year. There is no other collection instrument available for this program and no other single source for this specific information. In addition, the questions are specific to this program’s selection process, being developed and approved by the White House Commission on Presidential Scholars established by the Executive Order. No duplication exists as far as can be determined.

5. Impact on Small Businesses or other Entities

The information collection does not significantly impact small businesses or other small entities.

6. Consequences of Collecting the Information Less Frequently

If this collection (or a similar collection) were not employed or employed less frequently than on an annual basis, there would not be a mechanism to carry out the Executive Order and select the Presidential Scholars each year.

7. Special Circumstances Relating to the Guideline of 5 CFR 1320.5

Respondents may be required to prepare a written response to a collection of information in fewer than 30 days after receipt if there is a delay in the delivery of the application by the U.S. Postal Service or if a candidate is identified outside of the implemented procedures. There are no other special circumstances.

8. Comments in Response to the Federal Register Notice and Efforts to Consult Outside the Agency

A copy of 30-day Federal Register Notice publication will be provided with the OMB submission.

An independent review committee of 18 persons and the members of the Commission on Presidential Scholars (32 persons) are consulted annually to obtain their views on the data elements, the application format, and the data elements to be recorded, disclosed, or reported. The review committee consists of representatives of public and private secondary and postsecondary institutions: primarily college admissions directors and high school guidance/academic counselors. Reviewers may serve for three years, with staggered terms so that at least 1/3 of the review group is comprised of new panelists each year. The Commission consists of private citizens in education and other fields, appointed by the President. In addition, the contractor reports annually on the use of the application, frequently asked questions, and other pertinent feedback from the candidates completing the application. These consultations have resulted in the present form of the collection as submitted for OMB approval.

9. Explanation of Any payment or Gift to Respondents

The members of the Commission on Presidential Scholars, in fulfilling the charge of the authorizing Executive Orders, have determined that only students selected as Presidential Scholars (up to 141) receive any type of gift. The Commission has determined that those gifts will include: 1) a trip to Washington, DC in which transportation, meals, and lodging are paid; 2) the Presidential Scholars Medallion (stipulated under Executive Order 11155); and 3) any merchandise or awards provided to the Scholars by the Program's corporate sponsors.

10. Assurance of Confidentiality Provided to Respondents

In accordance with the Privacy Act of 1974, the application includes a privacy advisory statement and requires that all candidates or their guardians, if they are minors, provide a signature affirming their candidacy and authorizing the release of information in relation to the program. The electronic application use assigned electronic identifications and passwords for these authorizations. All system users (candidates, parents, school staff and principals) are issued unique user identifications and passwords by the program, provided in their invitation packets, and are required to personalize their passwords upon initial login. A secure HTTPS connection will be provided through the Web site's login page, and the system provides 128-bit encryption on the user identification and password. Users will access the system by entering their assigned user identification and password, and the system will validate the user and his or her role against the database. If invalid information is entered, an error message is displayed and access is denied. Access

to various parts of the system and the application is restricted based on user role and level of authorization.

The Privacy Advisory Act Statement and Affirmation of Candidacy read as follows:

“The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with this request for information. Accordingly, pursuant to the requirements for the Act, please be advised:

1. The authority for the collection of these data is Executive Order 11155.
2. Furnishing the information requested is voluntary.
3. The data will be used for selection of Presidential Scholars, engraving of Scholar medallions, and arranging transportation and accommodations for Scholars.
4. Other routine uses of the data are for preparation of the Presidential Scholars Yearbook, public affairs, and press releases to new media.
5. Failure to complete the form will mean that you cannot be included among those candidates being considered for designation as Presidential Scholar.

I, _____, understand that I am a candidate for the honor of Presidential Scholar, have read the Privacy Act Advisory Statement, and affirm my wish to be considered. In the event I am named a Presidential Scholar, permission is hereby given for the release of materials submitted by me for the use of the Commission on Presidential Scholars and the Department of Education as may be deemed appropriate for purposes of the Presidential Scholars Program. I further consent to the release of photographs which may be taken of me, by or for the U.S. Department of Education in connection with the Program. I am (check one) willing ___ unwilling ___ to appear on radio and/or television if such arrangements can be made by the U.S. Department of Education in connection with the Presidential Scholars Program. Date: _____ Signature: _____.”

The Department of Education has published a system of records notice under the Privacy Act for the Presidential Scholars Program. Since the program collects and maintains personally identifiable information on respondents, all physical access to the Department site, which hosts, maintains and secures the PSAonline system in accordance all applicable federal regulations and the System Security, Configuration Management, and Contingency Plans mandated by the agency’s Certification and Accreditation process, and the sites of Department contractors where this system of records is accessed, are controlled and monitored by security personnel who check each individual entering the building for his or her employee or visitor badge. All paper records are kept in locked cabinets. Paper and electronic Scholar application records are destroyed in four-year blocks when the most recent record is four years old. (ED/RDS, Part 5, Item 6 (N1-220-93-15, Item 1). Paper documents are shredded. The Privacy Act Notice and Privacy Impact Assessment for the electronic component of the application is included as an attachment, and are posted for all applicants to read before they enter the PSAonline system.

The computer systems employed by the Department and contractors offer a high degree of resistance to tampering and circumvention, and the system and its protections have been designed with input and approvals at every stage from the Department's Office of the Chief Information Officer.

11. Justification for Sensitive Questions

This collection of information does not include questions about sexual behavior and attitudes, religious beliefs, or other items that are commonly considered sensitive and private.

12. Estimate of Hour Burden Including Annualized Hourly Costs

Number of respondents= approximately 2,600

Frequency of response= once (new population each year)

Hours per response= 16, estimated by completion of the forms by program and contract staff, and by consultation with a small group of 6 typical respondents. (This estimate is believed accurate regardless of whether the candidates choose to submit their applications using the paper format, part paper and part electronic, or all electronic.) The hour burden on respondents is not expected to vary widely.

Annual hour burden= 41,600

Since respondents are high school students or teachers and school counselors performing their scheduled functions, there is no anticipated annualized cost to respondents to correspond with the hour burden.

13. Estimate of Other Total Annual Cost Burden to Respondents or Recordkeepers

There is no additional annual cost burden to respondents or record keepers.

14. Annualized Cost to the Federal Government

Maximum estimated annual costs to Federal government, including maintenance and processing of both paper and online application options handled through two contracts - *for planning purposes, printing costs project a run (3,000 copies) larger than the anticipated number of respondents; postage costs estimate an invitational mailing to the maximum anticipated number of eligible candidates (2,600), and the processing costs, based on experience, estimate a smaller pool will actually choose to submit a final, complete application (1,650):*

Application printing, ACT contract =	\$13,097
Application postage, ACT contract =	\$ 4,595
Application processing, ACT contract =	\$24,152

Application evaluation, (1 st review); ACT contract =	\$39,686
Application evaluation, (2 nd review); ACT contract =	\$36,088
Reviewer travel (including 1 st and 2 nd reviews); ACT contract =	\$46,629
On-line system operation & maintenance; EDIIAS contract =	\$149,569
Estimated total annualized costs =	\$318,816

(Supporting spreadsheet for calculating costs from ACT support contract, attached.)

15. Explanation of Program Changes or Adjustments

There are no changes or adjustments.

16. Plans for Tabulation and Publication and Program Time Schedule

The results of this collection of information will be used to produce individual press releases and a Presidential Scholar yearbook. The next application cycle begins in December of 2009 with the identification of qualifying students. Applications are mailed to all eligible candidates in January of 2010. Applications are due in February, and the first review to narrow the candidate pool to 550 semifinalists takes place in March 2010. The 141 finalists (Scholars) are selected by the Commission in April and announced in May of 2010. All lists of eligible candidates, semifinalists, and finalists are published on the Department's website and in a final press release (see samples at <http://www.ed.gov/programs/psp/2008/awards.html> by clicking the links that read "2008 Candidates," "2008 Semifinalists," "2008 Scholars," and "Press Release".) The recognition will take place and all related program publications (such as the annual yearbook with Scholar headshots and biographies; see a copy at <http://www.ed.gov/programs/psp/news.html> by clicking on the pdf for the 2008 Yearbook) will be issued in June of 2010.

17. Reason(s) Display of Expiration Date is Inappropriate

No request not to display the expiration date is being sought.

18. Exceptions to Certification for Paperwork Reduction Act Submission

There are no exceptions to the certification statement identified in item 20, "Certification for Paperwork Reduction Act Submission," of OMB Form 83-1.

B. Collection of Information Employing Statistical Methods

N/A

ATTACHMENT 1

EXECUTIVE ORDER OF THE PRESIDENT

Providing for the recognition of certain students as Presidential Scholars.

EXECUTIVE ORDER 11155

WHEREAS it is necessary in the national interest that the Federal Government encourage high attainment by students in secondary schools, both public and private, throughout the Nation, and

WHEREAS *national recognition of scholastic attainments* will tend to enhance the accomplishments of such students generally and their potential after graduation:

NOW, THEREFORE, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

Section 1. There is hereby established the *Commission on Presidential Scholars* (hereinafter referred to as the Commission). The Commission shall be composed of such members as the President may appoint from time to time from among appropriately qualified citizens of the United States. The person chosen each year, with the cooperation of the Office of Education, Department of Health, Education and Welfare, as National Teacher of the Year shall be one of the members of the Commission for a period terminating one year after the date of his or her selection as National Teacher of the Year or at such earlier time as a next-succeeding National Teacher of the Year is chosen. The President shall designate one of the members as chairman of the Commission. Members of the Commission shall serve at the pleasure of the President and without compensation from the United States.

Section 2. The Commission, in accordance with such standards and procedures as it may prescribe and on the basis of its independent judgment, shall annually choose Presidential Scholars, subject to the following:

- 1) The Presidential Scholars shall be chosen from among persons who have recently been graduated, or are about to be graduated, from secondary schools, public or private.
- 2) They shall be chosen on the basis of their outstanding scholarship.
- 3) One boy and one girl shall be chosen as Presidential Scholars from each of the following, namely:
 - (i) Each state of the United States.
 - (ii) The District of Columbia.
 - (iii) The Commonwealth of Puerto Rico.

(iv) The following collectively: American Samoa, Canal Zone, Guam, Virgin Islands, Trust Territory of the Pacific Islands, and, if the Commission in its discretion shall so determine, other places overseas. In respect of the said other places overseas, only children whose parents are citizens of the United States shall be eligible to be chosen hereunder as Presidential Scholars from those places.

4) In addition to the 106 Presidential Scholars provided for in paragraph (3) above, the commission may choose other Presidential Scholars, not exceeding fifteen in number for any one year, to be chosen at large from the jurisdictions referred to in that paragraph.

Section 3. This is hereby established the Presidential Scholars Medallion which shall be of such design and material as the President shall approve and shall be presented to each Presidential Scholar chosen by the Commission under this order.

Section 4. As necessary and subject to law, the Office of Education, Department of Health, Education and Welfare, shall facilitate, or make arrangements for facilitating the carrying out of the purposes of this order.

Lyndon B. Johnson
The White House
May 23, 1964

EXECUTIVE ORDER OF THE PRESIDENT

*Awards for Special Capability in the Visual and Performing
Arts and in Creative Writing*

EXECUTIVE ORDER 12158

By the authority vested in me as President by the Constitution and statutes of the United States of America, Section 2 of Executive Order No. 11155 is hereby amended by adding thereto the following paragraph:

"(5) In addition to the Presidential Scholars provided for in paragraph (3) and (4) above, the Commission may choose other Presidential Scholars not exceeding twenty in any one year. These Scholars shall be chosen at large, from the jurisdictions referred to in paragraph (3), on the basis of outstanding scholarship and demonstrated ability and accomplishment in the visual and performing arts or in creative writing."

Jimmy Carter
The White House
September 18, 1979