

## Supporting Statement for Paperwork Reduction Act Submissions

OMB Control # 1110-0047

### Part A. Justification

#### **1. Necessity of Information:**

Title 5, U.S.C. 7201 outlines the Anti-discrimination Policy; Minority Recruitment Program. This policy exists to ensure equal employment opportunities for employees without discrimination because of race, color, religion, sex, or national origin. Under this statute, the Office of Personnel Management (OPM) has implemented a minority recruitment program which requires that each Executive agency, to include the FBI, conduct a continuing program for the recruitment of members of minorities for positions within the agency.

#### **2. Needs and Uses:**

Under Title 5, U.S.C. 7201, OPM is mandated to conduct a continuing program of assistance to agencies in carrying out minority recruitment programs, and evaluation and oversight of such recruitment programs to determine their effectiveness in eliminating minority underrepresentation. OPM must submit the Federal Equal Opportunity Recruitment Program (FEORP) report to Congress annually, in compliance with the Federal statute. For this report, agencies including the FBI, must provide each fiscal year specific accomplishments and efforts to recruit, hire, and train a diverse workforce, including minorities, women, and persons with disabilities each fiscal year.

The FBI provides a statistical report based on Management Directive 715 (MD-715), which sets

policy guidance by the Equal Employment Opportunity Commission (EEOC) to Federal agencies. It provides standards for establishing and maintaining effective affirmative programs of equal employment opportunity under Section 717 of Title 7, as well as effective affirmative action programs under Section 501 of the Rehabilitation Act. Under MD-715, the FBI forwards statistical information annually to the EEOC which utilizes recruiting information to assist agencies in revealing and addressing impediments to fair and open competition in the workplace, and in allowing all employees equal access to federal employment opportunities.

Under 38, U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act, which requires affirmative action to employ qualified Vietnam era veterans and qualified special disabled veterans, Federal agencies, including the FBI, are mandated to implement a Disabled Veterans Affirmative Action Program (DVAAP). Pursuant to Title 5, OPM and EEOC are provided an annual report of accomplishments in recruiting, hiring, and promoting veterans, as a direct result of the established DVAAP. In addition, Executive Order 13163 requires Federal agencies, including the FBI, to increase efforts to hire disabled individuals, with a goal of hiring 100,000 individuals with disabilities throughout the Federal Government over the next five years. The FBI maintains statistical data related to recruitment, hiring, training, placement and advancement of all persons with disabilities, and is required to include this information in the annual FEORP report that is submitted to OPM. The disabilities information has been suspended due to upcoming changes to the program.

### **3. Use of Technology:**

Currently, 100 percent of respondents submit their responses electronically. Electronic

submissions are received via the FBI's automated hiring system. The ability of respondents to transmit data via the internet has eliminated the need for participants to process and then mail hard copies to the FBI. The form is available for review at [http://www.fbi.gov/fbijobs\\_proposedcollection.htm](http://www.fbi.gov/fbijobs_proposedcollection.htm).

**4. Efforts to Identify Duplication:**

This information collection was authorized in direct response to the Paperwork Reduction Act, 44 U.S.C. 3501; 29 C.F.R., Section 1614.601 and EEOC Management Directive 715.

**5. Methods to Minimize Burden on Small Businesses:**

This information will have no significant impact on small entities. Small businesses will not be affected by this collection.

**6. Consequences of Less Frequent Collection:**

Less frequent collection would place the FBI in a position of non-compliance with MD-715 and Executive Order 13163, and in violation of the applicable provisions of Title 5, Title 7 and Section 501 of the Rehabilitation Act.

**7. Special Circumstances Influencing Collection:**

Portions of the descriptive information that is collected such as race, color, religion, sex, or national origin, is recorded online at USAJOBS, a means of applying for employment via the internet. The information is maintained if candidates are selected and subsequently hired into positions within the FBI.

**8. Public Comments and Consultations:**

FBI sponsors and participates in training seminars, industry meetings, job fairs and conferences with the user community. These meetings are held regularly and provide an open forum to discuss matters of mutual concern, including reporting procedures. FBI consults with users on an individual basis as needed.

**9. Payment of Gift to Claimants:**

The FBI does not provide any payment or gift to respondents.

**10. Assurance of Confidentiality:**

Information requested in this collection is governed by law, regulations, and agency procedures.

This information will only be seen by Human Resources and Equal Employment Opportunities officials who use the FBI's automated hiring system to announce employment opportunities.

Data summarizing all applicants for a position will be used to determine if we are effectively recruiting in conformance with the requirements of Federal law. Only summary data is reported, and only in a format which cannot be broken down by individual applicant. No individual data is ever provided to selecting officials.

**11. Justification for Sensitive Questions:**

The information utilized is not defined as “sensitive” and its collection does not include questions of a sensitive nature. By definition, “sensitive” information is marked or unmarked data, including oral communications, the disclosure of which may compromise, jeopardize or subvert any investigation. Sensitive information also includes information relating to closed

investigations, the disclosure of which might compromise, jeopardize or subvert other law enforcement activities or investigations.

**12. Estimate of Hour Burden:**

This information collection request is a request to use EEOC's applicant flow form (See OMB control number 3046-0046). The FBI will be using this form until the EEOC develops a new form which, as the FBI understands it, will include disability questions. The EEOC form is a common form that accounts for the burden of all Federal agencies to use it. Therefore, the burden of this collection is accounted for under OMB control number 3046-0046. However, for informational purposes, the FBI provides the following information about the burden of this collection.

Number of respondents:	455.919
Frequency of response	one time per respondent
Total annual responses	455,919
Minutes per response	3 minutes per EEOC justification
Annual hour burden	22,795

**13. Estimate of Cost Burden:**

Respondents will not incur any costs other than their time to respond. Respondents will not incur any capital, start up, or system maintenance costs associated with this information collection.

**14. Estimated Annualized Costs to Federal Government: None**

**15. Reasons for Change in Burden:**

The burden estimates are changing because the FBI is utilizing common form provided by EEOC under OMB control number 3046-0046. Because the EEOC collection accounts for the burden for all agencies to use the form, this collection request imposes no new burden.

**16. Plans for Publication:**

The collected statistical information is provided in the FEORP and the DVAAP reports to OPM, the MD-715 report to the EEOC, as well as various reports to the Office of the Directorate of National Intelligence. These reports are for Government use and are not disseminated to the public by the FBI. The FBI has no other plans to publish the information collected.

**17. Expiration Date Approval:**

All information collected under this clearance will display the OMB Clearance Number.

**18. Exceptions to the Certification Statement:**

There are no exceptions to the certification statement.

**Part B. Statistical Methods**

The Federal Bureau of Investigation does not employ statistical methods in this information collection. Statistical methods cannot be used as a substitute for the collection of disability data for applicants. This is because we currently are not capturing any data at all that would allow us to make use of statistical methods.