

**SUPPORTING STATEMENT FOR REQUEST FOR OMB
APPROVAL UNDER THE PAPERWORK REDUCTION ACT AND 5 CFR 1320**

A. Justification

1. **Circumstances of the Information Collection:** Pursuant to 28 C.F.R. § 0.15, the Deputy Attorney General of the United States Department of Justice has the responsibility for administering the Department's recruitment programs for law graduates and law students. This includes hiring third-year law students and recent law school graduates (e.g., legal fellows, graduate law students and judicial law clerks) for full-time employment following graduation or completion of a qualifying post-law school activity through the Attorney General's Honors Program and hiring compensated legal interns, and primarily second-year law students, for summer employment through the Summer Law Intern Program. The Honors Program has been in existence since 1953 and is considered the Federal Government's premier legal recruitment program. The Department of Justice hires approximately 160 third-year law students/graduate law students/judicial law clerks and approximately 60-80 second-year law students through these programs each year. The Department of Justice is the largest legal employer in the country and receives approximately 5000 applications for these positions annually.

The Deputy Attorney General has delegated the responsibility for administering these programs to the Director, Office of Attorney Recruitment and Management (OARM), pursuant to 28 C.F.R. § 0.15(c) and 0.15(e). OARM, together with Department representatives who make the ultimate hiring decisions, has designed and developed electronic applications, submitted through the Internet, for both the Attorney General's Honors Program (Honors) and Summer Law Intern Program (Summer) to collect the information considered essential to make informed hiring decisions about applicants. This information is collected for in-house use only. Any identifier (e.g., applicant name) is collected only to prevent duplicate applications or to prevent any one candidate from applying to both Programs at the same time. (A candidate who is eligible to apply to one Program is not eligible for the other.) Use of such an identifier also ensures that candidate information can only be accessed by that candidate. Race/Gender/National Origin information, identification of a disability, and gender identity information are collected on a volunteer basis and are eliminated from the application before it is forwarded to the components to which the candidate applied for employment. Disability information is used to make appropriate accommodations for individuals' who need such accommodations (e.g., sign interpreters for the deaf) or, with the applicant's consent, to offer access to any ongoing outreach programs.

Many of the changes to the application are cosmetic. Our contractor, Avue Digital Services, moved to an up-to-date platform, which led us to revise the appearance of the application and streamline it.

As to substantive changes, those revisions to this collection are a response to the change in appointment authority for legal interns mandated by implementation of OPM's

Pathways Intern Program and the advent of the Schedule D hiring authority. The Department added several sections to the online application for Summer Law Intern Program (SLIP) Applicants only in order to acquire information relating to achievements during law school and legal practice area interests used in creating quality categories for the SLIP. Honors Program attorneys are hired under a different authority: there are no quality categories applicable to excepted service attorney hiring at the Department of Justice.

The new screens specific to the SLIP are: Legal Writing, Law School Academic Achievement, Specific Law School Classes, and Practice Area interests. In addition, we added additional possible responses to the Honors & Awards and Professional Accomplishments sections. All applicants may respond to those sections.

2. **Purpose and Use of the Information:** The electronic applications provide detailed instructions for completing the applications and explain specific Program requirements. The instructions provided on the applications also include Program deadline dates, and links to eligibility criteria, and other relevant information posted on the Department of Justice Legal Employment web page (www.justice.gov/careers/legal/). This website provides substantive information about each of the Programs, including an “Application Checklist” for both the Honors and Summer Programs that explains what information an applicant will need when he/she completes his/her application. Provision of this detailed information provides an educational tool for candidates and greatly reduces the number of telephone inquiries to OARM for program details, resulting in substantial savings of OARM staff time.

The electronic applications consist of form fill-able screens on which the applicant provides information about his/her legal practice area interests, participation in law school classes and activities/components (e.g., law review, moot court, special awards, and class rank), and relevant experience. If the applicant is a judicial law clerk, legal fellow, or a graduate law student, he/she must provide specific information about the clerkship, fellowship, or graduate law program. The applicant also lists a supervisor’s name, organization/firm, and telephone number for all past and present legal employment. This is crucial since reference numbers are not included in the resume builder section of the application, and components must make telephone reference checks before extending an offer of employment.

These applications are vitally important to the Department. The Department employs many more attorneys than any other federal agency. Consequently, recruiting and hiring the highest caliber legal staff is of the utmost importance. The Department's chief competitors for the nation's best legal talent are the country's finest private law firms and corporations. In order to be competitive with private-sector employers, we must operate within similar recruitment time frames. This dictates that the programs have an early deadline date, typically in early September each year. To encourage the maximum number of applicants to the program, it is crucial that the Department has an application

form that provides the concise information needed to evaluate the thousands of applications it receives each year in a timely manner.

There is no existing source for collecting the information requested on the application. For example, resumes do not always provide the information needed to determine if a candidate is eligible for the Programs. In addition, resumes do not follow a standard format that allows for swift review or data input of the information on the application. (The input of certain data from the application is critical to the successful operation of the Programs. This data generates status/rejection e-mails for each applicant and numerous statuses and statistical reports for the Department.)

Standard Forms (SF) 171 and (OF) 612 do not lend themselves to collection of the information needed by a legal employer. For example, class rank, participation in law review, participation in moot court or legal clinical programs, current classes, volunteer activities and externships do not logically fall into any existing SF-171 or OF-612 category. The depth of information needed by a legal employer would not be available for all applicants. Many excellent applicants would be overlooked, or disadvantaged in conveying their unique qualifications. Furthermore, much of the SF-171 and the OF-612 information is irrelevant to a legal employer. Determining an applicant's eligibility based on an SF-171 or OF-612 would result in a cumbersome, if not impossible, review process.

OARM reviews applications to make certain that applicants are eligible before forwarding the applications to the participating components. (This past fall, OARM reviewed approximately 4700 Honors and Summer Program applications in less than one week.) The electronic application designed by OARM lends itself to the efficient evaluation of each application to ensure that the candidate is eligible, as well as to accurate and efficient data transfer. The application solicits the necessary information while streamlining the process, thereby encouraging the largest pool of applicants possible.

After OARM reviews the applications, the components participating in the programs conduct a more detailed screening to select applicants for interviews. Since this review process requires some subjective determination, more organized information leads to more informed decisions. These decisions must be made in a very short time to allow OARM and the Conference Center Staff sufficient time to schedule the interviews. Anything that slows down the screening, processing or scheduling of interviews seriously undermines the Department's ability to compete for the nation's top law students. This information is collected for in-house use only. Any identifier (e.g., applicant name (Social Security numbers are not collected)) is collected only to prevent duplicate applications or to prevent any one candidate from apply to both Programs at the same time. (A candidate who is eligible to apply to one Program is not eligible for the other.) Use of such an identifier also ensures that candidate information can only be accessed by that candidate. Race/Gender/National Origin information, gender identify information, and identification of a disability are collected on a volunteer basis and are eliminated

from the application before it is forwarded to the components that are considering the candidate for employment. Disability information is used to make appropriate accommodations for individuals who need such accommodations (e.g., sign interpreters for the deaf) and to conduct additional outreach to individuals with disabilities.

Our agency works diligently to recruit applicants using practices that are free from discrimination and provide equal employment opportunities and is committed to helping make the legal profession accessible to all individuals on a non-discriminatory basis. The voluntarily submitted information helps ensure that our agency is recruiting from the entire U.S. citizen workforce. This information may be used, as necessary to plan for equal employment opportunity throughout the Federal government. It also may be used in the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained, or for related workforce studies. Any summary of this data would be in the form of aggregate totals and would not identify applicants in any way as an individual.

If an Honors Program candidate is selected for an interview(s) with one or more participating component, the candidate travels to Washington, D.C. or to the city where the hiring component is based for his/her interview (approximately 600 annually) at the Department's expense. In order to obligate the costs of the candidates' travel, M&IE, and/or hotel accommodations so they may be reimbursed, the Department is required to prepare travel authorizations for each candidate; hence, candidates selected for interview must complete a **Travel Survey** form. The principal purpose for collecting the information on this form is to prepare the authorization, schedule travel and/or hotel accommodations and schedule an interview(s) during a three week period (usually late October, early November). Disclosure of the Social Security Number is mandatory because it is required for the travel authorization form. Disclosure of gender is mandatory because it is required by TSA. The use of the Social Security Number is necessary to distinguish candidates who have identical names and whose identities may only be determined by the Social Security Number. This form is provided on our web site.

In order for the Department to reimburse candidates for expenses incurred while traveling to their interview, candidates must complete a **Reimbursement Form**. The principal purpose for collecting the information of this form is to reimburse travel, M&IE, and/or hotel accommodation expenses. The information collected on the form is necessary to match it to the candidate's travel authorization and the required documentation submitted by the candidate. The use of the Social Security Number is necessary to distinguish candidates who have identical names and whose identities may only be determined by the Social Security Number. This form is provided on our web site.

OARM received one public comment about our Federal Register notice. The comment addresses the use of tax revenue to pay for the Programs rather than addressing the collection of information used to administer them. The comment comes from an anonymous source ("Jean Public") who appears to believe that the agency is directing its

mission priorities inappropriately and is not “American First.” In reviewing the comment, OARM does not think it necessary to make any changes to the information that we will be collecting to administer these Programs.

3. **Use of Automated, Electronic, Mechanical or Other Technological Collection Techniques:** In the fall of 2002, OARM introduced a fully electronic data collection system. Candidates enter information pertinent to legal employment (e.g., class rank, participation in law review, moot court or legal clinics, undergraduate major) on 17 - 22 electronic screens (depending on Program. The data is then certified and submitted into a database for OARM review and transmission to the components that consider the candidates for legal employment. The candidate is automatically notified by e-mail that his/her application has been received when he/she certifies and submits his/her electronic application.
4. **Efforts to Identify Duplication:** OARM is the only office within the Department that collects this data.
5. **Impact on Small Business and Small Entities:** There is no impact on small business or entities.
6. **Consequences if Information is Collected Less Frequently:** The Honors and Summer Law Intern Programs are only conducted once per year. It is the only way the Department hires entry-level attorneys. Students hired under the Summer Program may be "funneled" (hired directly after serving as a Summer Law Intern) into the Honors Program. Thus, this Program is equally vital to the Department. To eliminate this once-a-year cycle would eliminate one entire year of entry-level attorney and law student hiring, seriously curtailing the effective operations of the Department's litigating divisions. The Department depends on these programs to hire the high caliber attorneys required to conduct the Department's important legal work.
7. **Special Circumstances:** There are no special circumstances identified in the instructions that apply to this information collection.
8. **Outside Consultation: Besides the 30-day and 60-day Federal Register notices and the comment process,** there have been no 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 record keeping, or reporting format, and on the data elements to be recorded, disclosed, or reported. No other agency runs a recruiting or hiring program comparable to the Department's program.

Moreover, it must be again stressed that this application form is: (1) submitted voluntarily; (2) submitted only once a year by students/recent law school graduates who will be in this applicant pool only once; and (3) the information sought only relates to the hiring criteria established as an internal matter by Department of Justice (DOJ) personnel.

Full consultation has been made with DOJ legal personnel on the data to be recorded, disclosed, or reported.

9. **Payment or Gift:** There will be no payment or gift to the respondents.
10. **Assurance of Confidentiality:** There are no assurances to the respondent since submission of this information is entirely voluntary. However, personal identifiers are collected only to prevent duplicate applications or to prevent a candidate from applying to both Programs and to obligate funds/reimburse candidates for travel expenses. It also allows the candidate to access his/her information during the course of the hiring process.
11. **Justification for Sensitive Questions:** The application does not pose questions of a sensitive nature except for the request that the applicant voluntarily identify personal characteristics, i.e., gender, race/national origin, disability status (if applicable). It is made clear to the applicant that the provision of this information is entirely voluntary, and that the information will be used by OARM to compile Program statistical data.
12. **Estimates of Hour Burden:** Applications to the Department's Honors and Summer Law Intern vary from year to year. The demand for law school graduates in the private sector has not affected the quality of candidates applying to the Department's hiring programs. The Department continues to attract a significant number of high caliber applicants to the programs compared to the number of positions available.

The number of applications varies from year to year. The chart below reflects the average number of applicants to both Programs. As stated in the "Public Reporting Burden" on both applications, it is estimated that the electronic application takes approximately one hour to complete and submit. It is further estimated that it takes an average of an additional 45 minutes to review the instructions, search existing data sources, gather and maintain the data needed, and complete and review the information collected. In addition, approximately 600 Honors Program applicants will complete the **Travel Survey** and the **Reimbursement form**. Each form will take approximately 10 minutes to complete. Thus, the annual burden, based on 5000 applicants (the average number of applications received in the last five years), would be 3750 hours of preparation time (estimated time to collect the appropriate information) plus 5000 hours of response time (to complete the Program application) plus an additional 200 hours associated with the Honors Program interviews (time for 600 candidates to complete two additional forms x 20 minutes (10 minutes for each of the forms)).

Applicants may not apply to both programs simultaneously due to eligibility restrictions. The applications for both programs are consolidated online. Based on factors such as law school graduation date, current law school status, and post-law school activities, applicants are routed to the employment options available for the program for which they are eligible. SLIP applicants must complete four screens that are not applicable to Honors Program applicants, but three of the four take minimal time to complete. OARM does not think this will impact on the average completion time.

Document/Form	Average Number of Applicants (both Programs combined)	Approximate Time to Complete Per Applicant	Total Aggregate Time
Preparation Time (review instruction, search existing data sources, gather and maintain data needed, and review the completed application).	5000	45 minutes	3750 hours
Application	5000	1 hour	5000 hours
Travel Survey	600	10 minutes	100 hours
Reimbursement Request	600	10 minutes	100 hours
			8950 hours

13. **Estimates of the Total Cost Burden:** There are no costs to the respondents since the data is collected electronically.
14. **Estimate of Annualized Cost to the Federal Government:** The annualized cost to the Department for the electronic applications is approximately \$54,000. This consists \$25,000 paid to Avue Technologies Corporation for the development and management of the electronic application and data system and \$29,000 in man hours to review and process the applications received.
15. **Program Changes or Adjustments:** This is a program change resulting from an agency action to extend the information collection for another three years. With respect to the burden hours, the chart above is based on the average number of applicants over the past several years. Using 5000 total applicants, you'd get 8950 hours, calculated as follows:
 - a. Preparation Time: (5000 applicants @ 45 minutes each) 3750 hours
 - b. HP/SLIP Application: (500 applicants @ 1 hour each) 5000 hours
 - c. Travel Survey: (600 candidates @ 10 minutes each) 100 hours
 - d. Reimbursement Form: (600 candidates @ 10 minutes each) 100 hours
16. **Publishing Information:** This information is used internally for hiring entry-level attorneys and legal interns and will not be published.
17. **Display of Expiration Date for OMB Approval:** OARM will display the OMB number and expiration date on the instructions and on the electronic application.

18. **Certification for Paperwork Reduction Act Submission:** OARM is not seeking any exception to the certification statement identified in Item 19 of the OMB Form 83-I.
19. **Collections for Information Employing Statistical Methods:** This information collection does not employ statistical methods.

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Authorizing Official

