

Supporting Statement for Paperwork Reduction Act Submissions

PART A. OMB Control Number 1091-0001

Prior Terms of Clearance: None

General Instructions

A Supporting Statement, including the text of the notice to the public required by 5 CFR 1320.5(a)(i)(iv) and its actual or estimated date of publication in the Federal Register, must accompany each request for approval of a collection of information. The Supporting Statement must be prepared in the format described below, and must contain the information specified in Section A below. If an item is not applicable, provide a brief explanation. When statistical methods are used, Section B of the Supporting Statement must be completed. OMB reserves the right to require the submission of additional information with respect to any request for approval.

Specific instructions

A. Justification

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

This data collection is needed to comply with Federal laws and regulations. 5 U.S.C. Chapter 72 §7201 establishes the anti-discrimination policy for recruiting and hiring of personnel. Title VII of the Civil Rights Act of 1964, section 2000e-8 [section 709] requires agencies to make and keep relevant records to identify unlawful employment practices. 29 C.F.R. §1602 allows agencies to collect data to determine if there is any adverse impact on employment practices such as recruitment and selection.

- 2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection. [Be specific. If this collection is a form or a questionnaire, every question needs to be justified.]**

The U.S. Department of the Interior (DOI), Office of Civil Rights (OCR), and its bureau Civil Rights and Workforce Diversity offices (the “equal opportunity” offices of the Department’s major components) collect and maintain this data. The Applicant Background Survey is attached to job announcements which are distributed online at USA JOBS for public use. Applicants for employment voluntarily complete the form and submit it with their applications for employment. Now that most submissions are done electronically, it is no longer necessary for the Department to spend time manually entering the data into a database as formerly; the electronic submission automatically populates the database. The information is kept separate from the HR merit staffing and employee database to assure that it does not affect individual hiring decisions. Only authorized officials of DOI and bureau HR, Civil Rights and Workforce Diversity offices can retrieve the data to conduct analyses and prepare reports to ensure compliance with U.S. Equal Employment Opportunity Commission regulations and various Federal laws.

In the past, the Department has used this data to assist policy-makers and HR professionals in ascertaining

the effectiveness of recruitment sources, and in determining if there were any recruitment barriers inherent in the outreach and recruitment processes. In addition, data collected has assisted these individuals in determining if recruitment mechanisms are reaching all aspects of relevant labor pools and in determining if there are proportional acceptance rates at various stages of the recruitment process. The information has been used only for evaluating the effectiveness of recruitment methods, and has not been used as a factor in the selection of particular hires by any component of the Department.

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

In Compliance with the Government Paperwork Elimination Act (GPEA), the Department relies on the Office of Personnel Management (OPM) system, USAJOBS, to advertise positions electronically. The Applicant Background Survey is provided as part of the DOI vacancy announcements on USAJOBS, which reduces the burden for most applicants. The Applicant Background Survey Form DI 1935 can be found at <http://www.doi.gov/diversity>. It is generally possible to submit the form electronically as part of the electronic application process that all DOI bureaus enable, and more than 75% of applicants do so.

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

The information from employment applicants outside the Federal government is not available elsewhere. Neither the U.S. Equal Employment Opportunity Commission nor the Office of Personnel Management has OMB-approved forms for collection of this data, so there is no similar information available which can be used or modified for this purpose.

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

This data collection does not affect small businesses.

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

If this data is not collected, DOI cannot analyze the racial, ethnic and persons-with-disabilities composition of applicant pools. It has proven impossible to identify the existence of any under-representation of various racial and ethnic groups and disability populations without this information. The data is only collected once upon the application process, so to collect it less frequently would mean not collecting it at all.

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

*** Requiring respondents to report information to the agency more often than quarterly.**

- * **Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it.**
- * **Requiring respondents to submit more than an original and two copies of any document.**
- * **Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records, for more than three years.**
- * **In connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study.**
- * **Requiring the use of a statistical data classification that has not been reviewed and approved by OMB.**
- * **That includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use.**
- * **Requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.**

Statistical methods are used, but have been previously approved by OPM. Regarding the collection of confidential information, only qualified individuals in HR and Office of Civil Rights have access to the data. The information is covered by a system of records notice, DOI—79, Department of Interior Personnel Records, and by Privacy Impact Assessments for Enterprise Human Resources Integration (EHRI) General Support System (GSS) regarding general hosting, and OPM sponsored Privacy Impact Assessments for the privacy related information.

Beyond the statistical methods, and the confidential information, there are no other special circumstances associated with this information collection.

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

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

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

The current form has been in use for several years, and has worked well, in that many thousands of forms have been submitted, during which time we have received few questions indicating a need for clarification, and no complaints or comments on the form itself. When it was designed, the Department initially examined forms used by numerous government organizations to capture the best features of those forms. DOI developed a form attempting to be highly user-friendly while complying with OMB's RNO (Race and National Origin) code requirements of October 30, 1997.

A 60 day Federal Register notice soliciting comments on the form was published November 28, 2008, at 73 FR 72518-72519. No comments were received. The form itself contains, in the Notices section, instructions for providing comments; again, no comments have been received despite the many thousands of uses of the form.

On March 30, 2009, three individuals were consulted who had completed the Applicant Background Survey and recalled filling it out. This includes the time for collecting, reviewing, and reporting the data. Each person gave an estimate of 2 minutes or less. This is less than the 3 minute average 3 years ago. The time reduction is thought to have occurred because the form is now generally both completed online and submitted online, streamlining the process. These are the individuals reporting these results:

Dawn Boswell, (202) 208-3652 1951 Constitution Avenue, N.W. Room 119 Washington, D.C. 20240	Reported Time: 2 minutes
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Kashieka Ivey (202) 208-3652 1951 Constitution Avenue, N.W. Room 120 Washington, D.C. 20240	Reported Time: 1 to 2 minutes
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Ray McInerney 1951 Constitution Avenue, N.W. Room 115 Washington, D.C. 20240	Reported Time: 2 minutes
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Based on the responses, the average time to complete the forms was 2 minutes.

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

No payment or gifts will be provided to respondents.

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

The form itself contains the assurances of confidentiality under the Privacy Act. The form specifies that it will only be seen by DOI Personnel and Equal Employment Opportunity officials. It further states that no individual data is ever provided to selecting officials. .

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the

questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The form asks respondents for their sex, ethnicity, race, and disability status. DOI uses this information to determine if its recruiting methods are reaching groups who are under-represented in its workforce (minorities, women, and individuals with disabilities.)

Asking these sensitive questions is necessary because the Department is required, by law, to comply with Federal laws and regulations prohibiting discrimination in the recruitment and hiring process. Data summarizing all applicants for a position will be used to determine if we are effectively recruiting from all portions of the country, in conformance with the requirements of Federal law. Only summary data is reported, and only in a format which cannot be broken out by individual applicants. Potential applicants are also advised that "Providing this information is voluntary. No individual personnel selections are made based on this information."

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

- * Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB FORM 83-I.**
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 14.**

a. Total Estimated Burden Hours

Based on the polling conducted, it is estimated that it takes 2 minutes, or .033 hour to complete the form. In FY 08, DOI hired about 16,791 people (2,884 in permanent positions, 13,907 in temporary positions). The Department's best estimate is that in the last fiscal year there were approximately 25 applicants for each position filled, on the average. (Note: They recognize that the actual number of applicants applying for positions needing to be filled varies widely from job announcement to job announcement.) There were thus approximately 419,775 individual job applications. Assuming an estimated 80% response rate, there are 335,820 forms submitted annually. At 2 minutes per form, this results in an annual hourly burden to the public of 11,194 hours per year. The Department has no reason to expect a significant change in the number of jobs advertised or the response rate over the next three years.

b. Total Estimated Annualized Cost

The applicants come from the general public, or from Federal employees applying for new positions. We have used the mean hourly wage of \$19.56 for all occupations based on

http://www.bls.gov/oes/2007/may/oes_nat.htm#b00-0000. To this figure we added a multiplier of 1.4 to include benefits, resulting in a total cost of \$27.38 per hour. (The benefits multiplier derived from BLS news release USDL: 08-1802, December 10, 2008, at <http://www.bls.gov/news.release/pdf/ecec.pdf>.)

Combining the estimated .033 hour as the time per form with the hourly rate for the time equates to \$.90 per form. This sum multiplied by the estimated number of forms submitted yields an annual cost of \$302,238.

Despite an increase in the overall number of jobs, there is a decreased estimated burden to the public. This is due to two factors: the amount of time to complete the form has decreased, and the average number of applications per job has declined.

13. Provide an estimate of the total annual [non-hour] cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).

- * The cost estimate should be split into two components: (a) a total capital and start-up cost component (annualized over its expected useful life.) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information [including filing fees paid]. Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
- * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1.) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

a. Annualized Capital and Start-up Costs.

There is no cost burden to respondents.

b. Operations and Maintenance Costs

There are no operations and maintenance costs.

14. Provide estimates of annualized cost to the Federal government. Also, provide a description

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

The data is reported by vacancy. To simply determine if there was diversity, each reported vacancy requires a quick review of the applicant pool per vacancy of no more than 2 minutes (0.033 hour). Taking this 2 minutes per vacancy times the total number of vacancies, 16,791, yields 560 total hours rounded. The Department also estimates that 20 % of the vacancies require an additional 10 minutes (1.66 hour per vacancy) for analysis, meaning that 20 % of the 16,791, or 3,358 of the vacancies, require this additional review. Thus the extra review is 3,358 times the 10 more minutes, expressed as the 1.66 % of an hour, equates to $3,358 \times 1.66 =$ another 560 hours rounded. Thus the total Government time is 560 hours for normal review plus another 560 hours for further analysis, or a total of 1120 hours.

The review is performed by a DOI employee at the average grade level of a GS 11. The current nationwide hourly wage for GS 11, step 5 is \$26.90, based on current OPM wage scales at http://www.opm.gov/flsa/oca/09tables/html/gs_h.asp. Using a multiplier of 1.5 to account for benefits, the total is \$40.35 per hour. This sum, multiplied by the 1,120 total hours to review the forms, yields an estimated annual cost to the Government of \$45,192. (The benefits multiplier is derived from BLS news release USDL: 08-1802, December 10, 2008, at <http://www.bls.gov/news.release/pdf/ecec.pdf>.)

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.

There are no program changes. There is an adjustment decrease resulting from two factors: first, despite the increase in jobs filled, there were 199,340 fewer total respondents because of the reduced average number of applicants. Second, there is a decrease in the time to complete each form by the public, from 3 minutes, or .05 hour, to 2 minutes, or .033 hour. The time burden of the Government to process the form has also been reduced due to the fact that Federal employees no longer need to enter the results manually into the database, since this is now done automatically upon electronic submissions. These factors combine to reduce the burden upon both the public and the processing Federal employees, despite the fact that more jobs were filled than previously.

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

Federal agencies are required on an annual basis to submit reports on hiring and promotions of minorities, women and people with disabilities. These reports are required by the Office of Personnel Management (Disable Veterans Affirmative Action Program – 38 U.S.C. § 4214; Federal Equal Opportunity Recruitment Program – 5 U.S.C. § 7201) and the U.S. Equal Employment Opportunity Commission Management Directive – 715. The Department complies with all applicable reporting requirements with regard to these programs. OPM and EEOC compile this information from all the Federal agencies to produce reports to the Congress. These reports are also available to the general public and distributed widely within the Government. It is important to note, however, that only aggregated information, not

identifiable to individuals, is included in such reports.

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

The Department will display the OMB control number and expiration date on the form.

18. Explain each exception to the certification statement identified in Item 19, “Certification for Paperwork Reduction Act Submissions,” as stated on OMB Form 83-1.

There are no exceptions to the certification statement.