

## 3206-0248 SUPPORTING STATEMENT

OPM Form 1655 – Application for Senior Administrative Law Judge

OPM Form 1655-A – Geographic Preference Statement for Senior Administrative Law Judge Applicant

Justification:

**1. Explain the circumstances that make the collection of information necessary.**

Title 5 U.S.C. § 3323(b), 5 CFR 930.209, and 5 CFR 930.204(b) describe the Office of Personnel Management's (OPM) role in managing the Senior Administrative Law Judge (ALJ) Program, and define the rules and regulations that govern the program. This program allows retired ALJs to be reemployed as Senior ALJs to hear and decide agency cases in a variety of subject matters. OPM currently maintains a Senior ALJ Master List of approximately 265 retired ALJs who are available to serve as Senior ALJs. They are required to submit an application for reemployment and proof of licensure and to answer a series of questions regarding geographic and personal preferences.

**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.**

OPM Form 1655 is an application form used to capture the necessary information required for reemployment as a Senior ALJ. The creation of this form streamlined the application process for the Senior ALJ position by allowing the retired judges to place all of their requested information on these tailored forms. In addition, it allows for easier data entry, and eliminated the need for further contact with Senior ALJ applicants for additional information.

**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.**

Improved information technology will do little to reduce the burden. The information collected cannot be obtained from other sources. The forms are available on the OPM website and are downloadable in a PDF format.

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

The forms are filed individually. Duplication is minimized.

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

This collection of information does not affect small businesses or other small entities.

**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.**

Senior ALJs hear and decide cases involving a variety of subject matters. According to 5 CFR 930.209, they must be deemed qualified to serve as a Senior ALJ as defined by OPM regulations. Insufficient collection of information could result in noncompliance with law and regulation.

**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; or
- 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.

OPM Forms 1655 and 1655-A do not meet the criteria listed under item 7.

**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.**

On November 3, 2017, a 60 Day Federal Register Notice was published at Vol. 82 No. 212. No comments were received.

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

Payments are not applicable. Individuals voluntarily complete OPM Forms 1655 and 1655-A.

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

OPM Forms 1655 and 1655-A contain a Privacy Act Statement.

**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 information collection does not include questions that are of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

**12. Provide estimates of the hour burden of the collection of information.**

The estimates below are based on past experience. The only cost to respondents is the time taken to complete an application. The wage rate used below is based on the Bureau of Labor and Statistics as of May 2017 for Administrative Law Judges.

Form Name	Form Number	No. of Respondents	No. of Responses per Respondent	Average Burden per Response (in hours)	Total Annual Burden (in hours)	Average Hourly Wage Rate	Total Annual Respondent Cost
Application for Senior Administrative Law Judge	OPM Form 1655	150	15	.62	94	\$47.25	\$4,441.50
Geographic Preference Statement for Senior Administrative Law Judge Applicant	OPM Form 1655-A	200	54	.34	67	\$47.25	\$3,165.75

**13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information.**

There are no measurable costs to individual respondents other than time.

**14. Provide estimates of annualized cost to the Federal Government.**

The estimated annualized cost to the Federal Government is based the 2018 annual GS-11/1 salary (\$32.60 x 2.5 hours per week = \$4,240.60) support staff used to review and process these applications as part of their general work assignments.

**15. Explain the reasons for any program changes or adjustments reported on the burden worksheet.**

The need for these applications varies; the burden estimates reported here are estimates based on recent and anticipated future trends.

**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.**

Information collected on the forms will not be published.

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

We are not seeking approval to not display the expiration date.

**18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.**

There are no exceptions to the certification statement.

**B. Collection of Information Employing Statistical Methods**

This information collection does not employ statistical methods.