

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

A. Justification

1. **Circumstances of the Information Collection:** The Department of Justice Attorney Student Loan Repayment Program (ASLRP) is an agency recruitment and retention incentive program based on 5 U.S. C. § 5379, as amended, and 5 CFR Part 537. The Department selects participants during an annual open season each spring. Any Department of Justice employee serving in or hired to serve in an attorney position may request consideration for the ASLRP. The number of requests varies from year to year. The vast majority of submissions are from current DOJ employees; however, we estimate that we also receive about 10 requests annually from incoming hires. Initial acceptance of ASLRP funding triggers a three-year service obligation to the Department. Each year, subject to availability of funds, the Department selects attorneys for participation on a competitive basis and renews current beneficiaries (all of whom are DOJ employees) in the second and third year of their service obligations. ASLRP benefits are paid directly to the loan holder, not to the individual attorney. To receive ASLRP benefits, the attorney must qualify, the attorney's student loans must qualify, and all statutory and regulatory requirements must be met. Attorneys who do not complete their service obligation must repay the Department for all funds received through the ASLRP, unless a waiver of indebtedness is approved.
2. **Purpose and Use of the Information:** The main purpose for collecting the information is to establish the terms under which a DOJ attorney or incoming DOJ attorney hire receives a student loan repayment benefit under the Attorney Student Loan Repayment Program. The information collected is used to determine eligibility, as a basis for payroll actions and to identify and validate qualifying Federal student loans. The Office of Attorney Recruitment and Management, which manages the Attorney Student Loan Repayment Program, has the authority to ask for this information pursuant to 5 U.S.C. §301, and 28 C.F.R. Part 0.15(b)(2). This information can be shared in accordance with routine uses as published in system of record notice JMD-024, Attorney Student Loan Repayment Program Applicant Files, 71 FR 64740 (11-03-2006), as modified by 82 FR 24147 (5-25-2017) (See <https://www.govinfo.gov/content/pkg/FR-2017-05-25/pdf/2017-10780.pdf>).
3. **Use of Automated, Electronic, Mechanical or Other Technological Collection Techniques:** All ASLRP application forms are available on the Office of Attorney Recruitment and Management (OARM) website in form-fillable PDF format, which may be digitally signed and submitted electronically. Applicants are able to complete and forward the necessary documentation directly from their computers. One hundred percent of the applicants for the benefits available under this Program will complete their applications electronically. Federal law and regulations require DOJ to validate student loans to ensure they qualify for this program: individuals requesting participation must submit relevant supporting documents (e.g., loan payment history, evidence of good standing, the type of loan, the loan balance, and other relevant information) for each existing federal student loan.

4. **Efforts to Identify Duplication:** OARM is the only office within DOJ that collects this data. There is no evidence of duplication from available sources. Similar information is not available.
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 ASLRP selection process is conducted once a year. Current ASLRP recipients (employees entering the second or third year of an existing service agreement) who seek renewal of benefits must submit their documentation by March 31st. Current employees and incoming hires seeking to participate in the ASLRP must submit their paperwork to their hiring components in April. This is the manner in which the Department determines eligibility for the receipt of ASLRP benefits and selects recipients.
7. **Special Circumstances:** The initial ASLRP request consists of administrative eligibility information for the requesting individual; relevant student loan documentation; and the individual's justification for selection. The first two sections are retained by OARM and are reviewed to establish eligibility. The third section is reviewed by five separate senior career officials ("the ASLRP Panel") who are not co-located. There is insufficient funding to award benefits to all eligible requesters; accordingly, the five-member Panel selects recipients each year. Selectees may renew their benefits for an additional two years without further Panel review by submitting an annual renewal request. Due to other duties, this group cannot meet for joint review, which takes between 20-30 hours annually to complete. Electronic submission facilitates the distribution of the Justification portion to the selecting officials for review via a secure shared drive (Share Point).
8. **Outside Consultation:** In addition to the 30-day and 60-day Federal Register notices and the comment process, the agency consulted with the Department of State, which had a similar program, in 2002 to identify best practices and take advantage of lessons learned regarding availability of data, frequency of collection, the clarity of instructions and record keeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported. After analyzing the statutory and regulatory requirements, several Program options were developed and briefed to Department leaders along with recommended courses of action. A final version was discussed with representatives from OPM prior to implementation. The agency is part of an interagency working group that regularly assesses government-wide issues associated with federal student loan repayment programs. The Program is reviewed and updated annually for compliance with all regulatory provisions implemented by OPM.
9. **Payment or Gift:** If selected to participate in the ASLRP, an individual may receive up to \$6000 a year for up to three years in loan repayment incentives paid directly to the loan holder.
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 issue benefit payments. The information collected is used within the

agency by employees with a need to know to determine program eligibility, to process payroll actions, and to identify and validate qualifying Federal student loans. Disclosure of identifiable information, including truncated Social Security Numbers, may be made to the DOJ Office of the Inspector General and the DOJ Office of Professional Responsibility to determine eligibility for awards, the Internal Revenue Service for tax withholding purposes, the National Finance Center for payroll action, and lending or educational institutions to identify and validate qualifying Federal student loans. ASLRP records are maintained pursuant to approved records retention schedules. Since 2017, ASLRP requests have been stored in a Department of Justice, Office of Attorney Recruitment and Management (OARM) computer file. Hard copy records from preceding years are maintained in secured files pursuant to applicable DOJ records retention policy containers in a secured workspace not accessible to the public or DOJ employees without the need to access the information in the course of official duty. This information may also be used by the Department of Justice for other lawful purposes, including law enforcement and litigation pursuant to system of record notice JMD-024, Attorney Student Loan Repayment Program Applicant Files, 71 FR 64740 (11-03-2006), as modified by 82 FR 24147 (5-25-2017) (See <https://www.govinfo.gov/content/pkg/FR-2017-05-25/pdf/2017-10780.pdf>). In addition, these records, or information therein, may also be used within the Department of Justice for study purposes, such as projection of staffing needs, and/or creation of non-identifiable statistical data for reports to other Federal agencies and Congress.

11. **Justification for Sensitive Questions:** Documentation of the individual's qualifying federal student loans is required to determine statutory and regulatory eligibility. Disclosure of the individual's truncated SSN is mandatory since it is the identifier used by the DOJ's Office of the Inspector General and Office of Professional Responsibility when reviewing candidates for award approval. The use of the truncated SSN is necessary because of the large number of present and former employees and applicants who have identical names and birth dates, and whose identities can be distinguished only by the SSN. It is used primarily to identify an employee's personnel, leave, and pay records and to relate one to the other. It also may be used by the Department of Justice to identify and validate qualifying Federal student loans. Disclosure of the truncated SSN is required to ensure that servicing Human Resources Offices can identify the proper recipient in order to effect a pay transaction. Student loan repayments are a form of incentive award: gross awards are subject to federal and state taxes and withholdings and are considered income to the employee. Although NFC and IRS regulations require use of the complete SSN to identify the taxpayer, that information is independently available to recipients' finance staffs and is not collected by OARM in managing the ASLRP. The application does not pose any other questions of a sensitive nature(except to request that the applicant voluntarily identify personal characteristics, i.e., gender, race/national origin). Applicants are advised that the provision of this information is entirely voluntary, is not provided to the selecting Panel, is used only by OARM to compile Program statistical data, and that failure to respond has no effect on their request for consideration.

12. **Estimates of Hour Burden:**

The Department anticipates that on a yearly basis, about 275 respondents will complete the initial ASLRP application (new request). Of those, we estimate approximately 10 respondents are incoming hires (individuals who have accepted an offer of employment)

seeking benefits effective upon employment. The remaining 265 respondents are current DOJ employees. It is estimated that each new application will take two (2) hours to complete. In addition, each year the Department expects to receive approximately 110 applications from current employees (attorneys and law clerks) requesting renewal of the benefits they received in the preceding year. We estimate that each renewal application will take approximately 20 minutes to complete.

We calculate the estimated public burden associated with this collection, based solely on initial requests submitted by individuals who have accepted an offer of employment but not yet entered on duty, as 20 hours. The burden hours for collecting respondent data, 20 hours, is calculated as follows: 10 new respondents x 2 hours = 20 hours. When we include current employees as well as incoming hires, the estimated burden associated with this collection is 586 hours, 40 minutes. The burden hours for collecting respondent data, 586 hours, 40 minutes, are calculated as follows: 275 new respondents x 2 hours = 550 hours, plus 110 renewing respondents x 20 minutes = 36 hours, 40 minutes.

ICR Summary of Burden: (Excluding current employees - Including only incoming hires)

	Requested	Program Change Due to New Statute	Program Change Due to Agency Discretion	Change Due to Adjustment in Agency Estimate	Change due to Potential Violation of the PRA	Previously Approved
Annual Number of Responses	10	0	0	0	0	20
Annual Time Burden (Hr)	20	0	0	0	0	20
Annual Cost Burden (\$)	0	0	0	0	0	0

13. **Estimates of the Total Cost Burden: \$0.0**
14. **Estimate of Annualized Cost to the Federal Government: \$0.0**
15. **Program Changes or Adjustments:** We adjusted the cost estimates to zero. Cost estimates are based on the number of public respondents. In this case, the vast majority of requests are from current Department of Justice employees, who fall

outside the definition of a public respondent. Given that there are so few members of the public requesting consideration, any costs associated with operating or maintaining systems, or recordkeeping, is de minimis.

16. **Publishing Information:** This information is used internally for selecting recipients of the Department's attorney student loan repayments and will not be published.
17. **Display of Expiration Date for OMB Approval:** OARM will display the OMB number and expiration date on the forms for 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 Form §33-1.
19. **Collections for Information Employing Statistical Methods:** This information collection does not employ statistical methods.



Eleanor A. Carpenter

**Acting Director, Office of Attorney Recruitment and
Management**

Authorizing Official