



UNITED STATES OFFICE OF PERSONNEL MANAGEMENT  
Washington, DC 20415

The Director

Thursday, January 17, 2002  
MSG-004

**MEMORANDUM FOR: Human Resources Directors**

FROM: Richard A. Whitford, Acting Associate Director for Employment Service

Subject: 2001 Reports Due on Luevano Consent Decree and Experts and Consultants

We are sending you a reminder that three staffing reports are due early in 2002 based on information from calendar year 2001. Each report covers an entire department or independent agency. Please make sure that your installations do not send data directly to OPM. Instead, they must forward data for consolidation to a central point in your department or agency.

**Outstanding Scholar/Luevano Consent Decree**

The two reports listed below are required by a Federal court as a condition of the Luevano Consent Decree, "in order to enable plaintiffs effectively to monitor compliance by the various agencies" in their use of the Outstanding Scholar and Bilingual/Bicultural hiring authorities.

**Please send the reports to: Luevano Reports, Employment Service, U.S. Office of Personnel Management, 1900 E Street, N.W., Room 6500, Washington, DC 20415.** If your agency is not covered by the Luevano Consent Decree, please disregard this section. If you are not sure whether your agency is covered, please contact your agency's legal advisors, or call OPM's Office of Employment Policy on (202) 606-8097.

**1. Due January 31, 2002:** Statistical report of race and national origin (RNO) data on applicants for Outstanding Scholar appointments in calendar year 2001.

To meet the terms of the Luevano decree, you must report to OPM the RNO data you collected from Outstanding Scholar applicants for the prior calendar year. To do this, you consolidate information from applicants' OPM Form 1386B (Applicant Race and National Origin Questionnaire) onto OPM Form 1592 (Outstanding Scholar Provision Reporting Form for the Luevano Decree). A separate OPM Form 1592 is required for each occupation and each grade for the entire agency. The form divides the data by regional "zones."

There is a place on the form labeled "Missing Data," where you enter the number of qualified applicants who either did not complete or did not return OPM Form 1386B. (Although it is mandatory that agencies supply OPM Form 1386B to all Outstanding Scholar candidates, it is not mandatory that candidates complete the forms.) The "missing data" is also divided geographically, with this information written in below the other totals for each zone on the OPM Form 1592.

Because of the method by which adverse impact is determined under the Luevano decree, you may count an eligible candidate several times. Each applicant is reported in each series, grade, and geographic zone for which he or she is considered. If there were no Outstanding Scholar applicants, you must still report that fact.

**2. Due March 31, 2002:** Narrative report on special employment programs covered by the Luevano Consent Decree.

To meet the requirements of the Luevano decree, you must also submit narrative reports on your prior year's efforts to use special programs to eliminate adverse impact on Blacks and Hispanics when hiring into former Professional and Administrative Career Exam (PACE) occupations. Those occupations are essentially the same ones later covered by the Administrative Careers with America (ACWA) examination.

The reports cover the Outstanding Scholar, Student Career Experience and other college work-study programs (such as "co-op"), the Bilingual/Bicultural hiring authority, and similar programs. The reports also include information regarding publicity about the special programs and special recruiting efforts, including on-campus visits. The Luevano Consent Decree requires each agency covered by the decree to make a report. If the programs were not used during the reporting period, you must still report that fact.

### **Experts and Consultants**

**3. Due February 28, 2002:** Report on employment of experts and consultants hired under 5 United States Code, section 3109 during calendar year 2001.

Please send the reports to: Expert and Consultant Reports, Technology Support Center, Employment Service, U.S. Office of Personnel Management, 4685 Log Cabin Drive, Macon, GA 31298-0001.

As required by 5 United States Code, section 3109(e), you must report the days worked by, and the amounts paid to, each expert and consultant hired under the authority of 5 U.S.C. 3109 in the prior calendar year. Using OPM Form 1623 (List of Experts and Consultants Hired Under 5 U.S.C. 3109), report to OPM the social security number, number of days worked, and gross pay of each covered employee.

Copies of all the forms mentioned above are attached. If you have any questions, please contact the Office of Employment Policy on (202) 606-8097.