

## APPENDIX A - FY 2004

### PREQUALIFYING POSITIONS

(Including Associated Recruitment and Retention Criteria for Eligibility)

The Department has determined that, pursuant to 5 CFR § 537.105, employees in, or potential employees for, positions listed below may qualify for the student loan repayment program. The basis of the Department's determination supporting use of the repayment incentive for retention or recruitment of in these positions includes the factors listed in Appendix B.

The final column of the chart below indicates the specific factors supporting the determination of recruitment and retention difficulty, at least one of which applies for each position, and serves as the written basis for the determination that positions in these categories qualify for the Attorney Student Loan Repayment Program for FY 2004. For positions listing Additional Qualifying Criteria, only attorneys who satisfy the criteria listed in the Additional Qualifying Criteria column of the chart will be eligible, because of the Department's special need for attorneys with these qualifications.

Positions 1 through 26 [do not apply to attorneys serving in U.S. Attorneys Offices](#)

#	Component and Position Description	Additional Qualifying Criteria	Factors
1	<b>Antitrust Division</b> (Incoming experienced hires – recruitment only. Does not apply to current employees.)	Member of the Patent Bar; and a comprehensive intellectual property (patents, trademark, copyright) background, including: <ul style="list-style-type: none"> <li>• Law degree with demonstrated antitrust interest and economics background (e.g., course work, employment, etc.), and an;</li> <li>• Undergraduate or higher degree in electrical engineering, computer engineering, physics, aerospace, biotechnology, or equivalent.</li> </ul>	A, C
2	<b>Antitrust Division</b> (Incoming entry-level Honors Program recruitment only. Does not apply to current employees).	Member of the Patent Bar, or a Patent Agent, or pertinent experience in or exposure to patent examination; and a comprehensive intellectual property (patents, trademark, copyright) background; including: <ul style="list-style-type: none"> <li>• Law degree with demonstrated antitrust interest and economics background (e.g., course work, employment, etc.), and an;</li> <li>• Undergraduate or higher degree in electrical engineering, computer engineering, physics, aerospace, biotechnology, or equivalent.</li> </ul>	A, C
3	<b>Civil Division</b> GS-122, Patent Attorney, Intellectual Property Section, Commercial Litigation Branch)(both recruitment and retention)	Degree in engineering or science; membership in, or eligibility to sit for the Patent Bar	A, C, F
4	<b>Civil Division</b> GS-905 – 11/12/13/14,	Meets one of the following: <ul style="list-style-type: none"> <li>• Graduated in the top 10% of law school class (or 3.45 cumulative GPA); or</li> </ul>	C

	Trial Attorney (Honors Program – recruitment through 4 years post-entry on duty)	<ul style="list-style-type: none"> <li>• Graduated from law school with honors; or</li> <li>• Served as a Judicial Law Clerk at the federal level, U.S. Supreme Court level or the State Appellate Court level; or</li> <li>• Served as editor of a school’s law review/journal</li> </ul>	
5	<b>Civil Division</b>  GS-905, Trial Attorney, National Courts Section, Commercial Litigation Branch (recruitment and retention)	Possesses significant litigation experience before the Court of Federal Claims	A, C
6	<b>Civil Division</b>  GS-905, Trial Attorney (recruitment and retention - experienced hires)	GS-level 12 – 14 at time of application for ASLRP and meets one of the following: <ul style="list-style-type: none"> <li>• Graduated in the top 10% of law school class (or 3.45 cumulative GPA); or</li> <li>• Graduated from law school with honors; or</li> <li>• Served as a Judicial Law Clerk at the federal level, U.S. Supreme Court level or the State Appellate Court level; or</li> <li>• Served as editor of a school’s law review/journal</li> </ul>	C
7	<b>Civil Rights Division</b> GS-905, GS-11 -14	<ul style="list-style-type: none"> <li>• Graduated in top 10% of law school class or Summa Cum Laude (or equivalent); or</li> <li>• Judicial Law Clerk at a Federal Circuit Court (or other Federal Appellate Court), U.S. Supreme Court, or State Supreme Court; or</li> <li>• Served as Editor of a law school law review or law journal.</li> </ul>	B, C
8	<b>Criminal Division</b>  GS-905, (attorneys who entered the Department through the Honors Program, both recruitment and retention)	<ul style="list-style-type: none"> <li>• Graduated in top 10% of law school class or Summa Cum Laude (or equivalent); or</li> <li>• Judicial Law Clerk at the Federal -level, U.S. Supreme Court, or State appellate level; or</li> <li>• Editor of a law school law review/journal.</li> </ul>	C
9	<b>Criminal Division</b>  GS-905, Trial Attorney (recruitment and retention)	For attorneys assigned to overseas posts or assigned to work that requires dealings with individuals or information from foreign countries (e.g., Italy, Mexico, Brussels, Belgium, France, Russia, Thailand, the Middle East, etc.): A high degree of fluency in a foreign language of the assigned country; specifically, attorneys must possess professional proficiency in the spoken and written language to conduct the legal business of the position.	A, C, D
10	<b>Criminal Division</b>  GS-905, Trial Attorney (recruitment and retention))	Three to five years specialized experience and/or knowledge in a unique area of criminal law or subject matter – e.g., -prosecution experience with child sexual exploitation and obscenity;- and/or strong interest in prosecuting computer-assisted crimes.	E
11	<b>Criminal Division</b>	Experience in high technology areas – including encryption, electronic privacy laws, search and seizure	C, E

	GS-905, Trial Attorney (recruitment and retention)	of computers, e-commerce, hacker investigations, infrastructure protection, emerging technologies, online investigations, online forensic techniques, and similar matters.	
12	<b>Environment and Natural Resources Division</b> (retention only)	<p>A minimum of five years of experience as an attorney in the Environmental and Natural Resources Division with evidence of at least one of the following characteristics:</p> <ul style="list-style-type: none"> <li>• Relevant academic studies (e.g., MS in environmental science, additional law courses or advanced degrees in administrative law, environmental law and similar fields; or</li> <li>• Experience in bankruptcy law; or</li> <li>• Demonstrated commitment to public service (e.g., volunteer work on environmental or other public service concerns, organizing volunteer activities, work experience with state or public service organizations).</li> </ul> <p><b>OR</b></p> <p>GS-level 12 – 14 at time of application for ASLRP and meets one of the following:</p> <ul style="list-style-type: none"> <li>• Graduated in the top 10% of law school class (or 3.45 cumulative GPA); or</li> <li>• Graduated from law school with honors; or</li> <li>• Served as a Judicial Law Clerk at the federal level, U.S. Supreme Court level or the State Appellate Court level; or</li> <li>• Served as editor of a school's law review/journal</li> </ul>	B, C
13	<b>Federal Bureau of Prisons</b> GS-905 –13/14/15, Attorney-Advisor (recruitment and retention)	Serve in Labor Law Branch, Washington, DC	B, C
14	<b>Federal Bureau of Prisons</b> GS-905 –13/14/15, Attorney-Advisor (recruitment and retention)	<p>Serve in Washington, D.C. in:</p> <ul style="list-style-type: none"> <li>• Legislative and Correctional Issues Branch</li> <li>• Litigation Branch</li> <li>• Discrimination Complaints and Ethics Branch</li> <li>• Legal Administrative Branch/FOIA/PA Section</li> </ul>	C, E
15	<b>Federal Bureau of Prisons</b> GS-905 –13/14/15, Attorney-Advisor	Serve in Legal Training and Review, Glynco, Georgia	E, F
16	<b>Federal Bureau of Prisons</b> GS-905 –13/14/15, Attorney-Advisor (recruitment and retention)	Serve in Institutions/Consolidated Legal Centers (various locations nationwide)	D
17	<b>Federal Bureau of</b>	Serve in a regional office in one of the following regional	E

	<b>Prisons</b> GS-905 –13/14/15, Attorney-Advisor (recruitment and retention)	offices: <ul style="list-style-type: none"> <li>• Annapolis Junction, Maryland</li> <li>• Philadelphia, PA;</li> <li>• Atlanta, GA;</li> <li>• Dallas, TX;</li> <li>• Kansas City, KS;</li> <li>• Dublin, CA</li> </ul>	
18	<b>Federal Bureau of Prisons</b> GS-905 –13/14/15, Attorney-Advisor (recruitment and retention)	Serve in Real Estate and Environmental Law Branch	C, E
19	<b>Federal Bureau of Prisons</b> GS-905 –13/14/15, Attorney-Advisor (recruitment)	Serve in Commercial Law Branch	B, C
20	<b>Foreign Claims Settlement Commission</b> Attorney-Advisor (International), GS-905-9/11/13 (Recruitment only. Does not apply to current attorneys).	<ul style="list-style-type: none"> <li>• Exceptionally high degree of demonstrated potential based on objective academic achievements; <b>and</b></li> <li>• Specialized background in, and knowledge of foreign relations and international law; <b>and</b></li> <li>• High degree of fluency in a foreign language.</li> </ul>	C
21	<b>Office of Community Oriented Policing Services</b> All attorney positions (recruitment and retention)		C, E
22	<b>Office of Information and Privacy</b> (recruitment only)	Substantial prior experience in federal access law	C
23	<b>Tax Division</b> GS-905, Trial Attorney (Civil, Criminal, Appellate; recruitment only - experienced hire)	<p>A combination of:</p> <p><u>Substantive legal experience</u> – For criminal attorneys, it should involve complex white collar prosecutorial experience; For civil attorneys, the experience should be tax or financial- related litigation.</p> <p><u>Advanced degrees</u> - LL.M and/or advanced degrees in other areas such as tax, accounting, criminal law or complex financial related subjects (like securities or finance)</p> <p><u>Substantive complex financial experience</u> (e.g., a CPA or someone who has worked in complex financial matters)</p> <p><u>Federal judicial clerkship</u></p>	A, B, C, E, F

		<p><u>Superior academic background</u> (including consideration of law school GPA, moot court or law review experience)</p>	
24	<p><b>Tax Division</b> GS-905, Trial Attorney (retention - current employee)</p>	<p>A minimum of four years of experience as an attorney in the Tax Division who demonstrates a combination of the following characteristics:</p> <p><u>For all attorneys</u> Demonstrated ability to:</p> <ul style="list-style-type: none"> <li>• research and write well;</li> <li>• identify and analyze subtle issues</li> <li>• present persuasive arguments;</li> <li>• manage workload efficiently and productively handle the Division's most complex cases;</li> <li>• handle multiple complex cases at one time</li> <li>• train and/or mentor junior attorneys;</li> <li>• exercise good judgment; and</li> <li>• exercise developed expertise in a combination of specific areas of DOJ tax practice (e.g., tax, litigation/prosecution and bankruptcy);</li> </ul> <p><b>plus</b></p> <p><u>For Tax-Civil attorneys:</u></p> <ul style="list-style-type: none"> <li>• first chair trial experience;</li> <li>• demonstrated experience with <ul style="list-style-type: none"> <li>-- large document cases;</li> <li>-- expert witnesses; and</li> <li>-- use of automated litigation services;</li> </ul> </li> <li>• successfully managing large dockets;</li> <li>• successfully litigating large and complex cases.</li> </ul> <p><u>For Tax-Criminal attorneys:</u></p> <ul style="list-style-type: none"> <li>• demonstrated success handling cases with indirect methods of proof;</li> <li>• demonstrated success handling sophisticated, complex prosecutions.</li> </ul>	A, B, C, E, F
25	<p><b>Tax Division</b> GS-905, Trial Attorney (Honors Attorney) (incoming or within 4 years of entry on duty)</p>	<p>Graduated in the top 5% of law school class or Summa Cum Laude or equivalent; or</p> <p>Judicial Law Clerk with the Federal Circuit Court (or other Federal Appellate Court), U.S. Supreme Court, or a State Supreme Court; or</p> <p>Editor of a law school's official law review/journal.</p>	C
26	<p><b>U.S. Trustee Program</b> GS-905, Trial Attorney</p>	<p>Prior experience in bankruptcy</p>	A, B, C

	<p>–  , San Jose, CA;  Wilmington, DE;  New York City, NY;  Alexandria, VA;  Greenbelt, MD; and the  District of Columbia  (recruitment and  retention)</p>		
27	<p><b>U.S. Attorneys’ Offices</b>  Southwest Border  USAOs, other USAOs  with significant Spanish-  speaking populations.</p>	<p>Fluency in Spanish; specifically, sufficient professional  proficiency in the spoken and written language to conduct  legal business and a demonstrated ability to litigate issues  involving Spanish (only) speaking individuals.</p>	C, E
28	<p><b>U.S. Attorneys’ Offices</b>  All USAOs for:   Computer crime-related  specialized litigation; or</p>	<p>Masters Degree in Computer Science; or three or more  years experience in computer technology as it relates to  computer crime demonstrating the ability to litigate such  issues as encryption, electronic privacy laws, search and  seizure of computers, e-commerce, hacker investigations,  infrastructure protection, emerging technologies, online  investigations, online forensic techniques, and similar  matters.</p>	C, E
29	<p><b>U.S. Attorneys’ Offices</b>  All USAOs for:   Financial crime-related  specialized litigation</p>	<p>Masters Degree in Accounting, Auditing, or Finance, or  three or more years experience prosecuting finance-  related crime</p>	C, E
30	<p><b>U.S. Attorneys’ Offices</b>  All USAOs</p>	<p>3 or more years experience in intelligence analysis,  counter-terrorism investigation; or demonstrated ability to  litigate issues involving terrorism</p>	C, E
31	<p><b>U.S. Attorneys’ Offices</b>  USAOs in Guam,  Northern Mariana Islands,  Puerto Rico, Virgin  Islands</p>	<p>None</p>	A, D, E