

## **Challenge and Prize Competition Solicitations**

### **Supporting Statement – Section A**

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#### **Program Officer/Project Officer**

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**Check off which applies:**

- New
- Revision
- Reinstatement with Change
- Reinstatement without Change
- Extension
- Emergency
- Existing

**Introduction**

The Office of the Secretary (OS), Department of Health & Human Services (HHS) requests that the Office of Management and Budget (OMB) approve a request for a reinstatement with change of generic clearance approval of the information collected for challenge and prize competition solicitations. Burden hours were increased from 251 to 333 total burden hours to provide more time for respondents to complete forms that may include more questions. The generic clearance is being sought as a means to promote innovative solutions to the problems and needs confronting HHS and its operational divisions (OPDIVs, henceforth referred to collectively as “HHS”). The approval would enable HHS to collect specific information necessary to evaluate solutions provided by individuals and/or organizations in response to requests by the Federal government.

Under the guidance of the Office of the Chief Technology Officer (CTO), HHS has administered over 180 challenges and prize competitions to date, engaging the public on innovative ideas to address critical issues dealing with health and human services. HHS will continue to use, in most cases, the publicly-accessible website known as Challenge.gov. Challenge.gov—developed and currently managed by the General Services Administration (GSA)—provides a free, central location for the posting of challenges to the public and serves as a platform for solution providers to submit information about themselves and the information about their solution. Solicitations of interest for challenges and prize competitions use a variety of platforms for engaging solution providers, including Challenge.gov, and will continue to do so.

This request addresses inclusion of structured information that will uniformly be requested of many challenges and prize competitions to be conducted by HHS.

**Part A: Justification**

- 1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection.**

*a. Overview*

On January 21, 2009, the President issued a memorandum calling for the establishment of “a system of transparency, public participation, and collaboration.”<sup>1</sup> The memorandum required an

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<sup>1</sup> Memorandum for the Heads of Executive Departments and Agencies: (January 21, 2009), <https://obamawhitehouse.archives.gov/the-press-office/transparency-and-open-government>

Open Government Directive to be issued by the Director of the Office of Management and Budget (OMB), instructing “executive departments and agencies to take specific actions implementing the principles set forth in this memorandum.” Among the means to engage in these advocated Open Government activities was the use of challenges and prize competition mechanisms that would involve the public in new, comprehensive, and innovative.

With regard to specific initiatives on conducting prize competitions and challenges, OMB issued Memorandum M-10-11 in March 2010 entitled “Guidance on the Use of Challenges and Prizes to Promote Open Government.”<sup>2</sup> Through this policy, agencies were encouraged to develop challenges and prize competitions that provide opportunities to engage new communities to help with problem-solving consistent with the approach of a more open government. In 2011, agencies were given additional authorities that enable them to use prize authority for challenges and competitions. Section 105(a) of the America COMPETES Reauthorization Act (further amended by the American Innovation and Competitiveness Act), adds Section 24 to the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. § 3701 et seq.) that addresses provisions for challenges and competitions with prizes conducted by Federal agencies. Although the Act does not specify requirements under the Paperwork Reduction Act (PRA), reference is made to the use of a common platform for managing Federal challenges and prize competitions.

#### *b. Necessity of Collection*

Challenges and prize competitions enable HHS to tap into the expertise and creativity of the public in new ways as well as extend awareness of HHS programs and priorities. Within HHS, the Office of the CTO has taken lead responsibility in coordinating challenges and prize competitions and implementing policies regarding the use of these tools. HHS has sponsored challenges and competitions in a wide variety of areas, including: recruitment efforts; health data/other data applications; and communications to increase public participation and solicit new ideas on a wide array of topics important to HHS’s mission. This could include measuring and making accessible national health objectives for health officials and community decision makers or determining how effective health promotion can affect healthy weight, physical activity, and nutrition. HHS’s goal is to engage a broader number of stakeholders who are inspired to work on some of our most pressing health issues, thus supporting a new ecosystem of scientists, developers, and entrepreneurs who can continue to innovate for public health.

The generic clearance is necessary for HHS to more effectively design, administer, and understand impact of its challenges and prize competitions. The information collected for these challenges and prize competitions will generally include the submitter’s or other contact person’s first and last name, organizational affiliation and role in the organization (for identification purposes); email address or other contact information (to follow up if the submitted solution is selected as a finalist or winner); street address (to confirm that the submitter or affiliated organization is located in the United States, for eligibility purposes); information confirming whether the submitter’s age is 13 years or older (to ensure compliance with the Children’s Online Privacy Protection Act of 1998, 15 U.S.C. § 6501-6505 (COPPA)) or 18 years or older

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<sup>2</sup> Memorandum for the Heads of Executive Departments and Agencies: Guidance on the Use of Challenges and Prizes to Promote Open Government (March 8, 2010) <https://www.whitehouse.gov/sites/whitehouse.gov/files/omb/memoranda/2010/m10-11.pdf>.

(to ensure necessary consents are obtained); and a narrative description of the solution. HHS may also request information indicating the submitter's technical background, educational level, ethnicity, age range, gender, and race (to evaluate entrants' diversity and backgrounds), how the submitter learned about the challenge or prize competition and what the submitter currently understands about the HHS agency hosting the challenge or prize competition (to gauge the effect of the challenge or prize competition on increasing public awareness of HHS programs and priorities, and generally to enable HHS to improve its outreach strategies to ensure a diverse and broad innovator constituency is fostered through the use of challenges and prize competitions). Finally, HHS may ask for additional information tailored to the particular challenge or prize competition through structured questions. The information collected will be used for one or more of three purposes, depending on specific needs of individual activities. First, it will inform and allow real-time adjustments to the challenge competition. This may include for example understanding whether desired target audiences are being reached through outreach efforts. Second, it will provide insights that can be used to better design future challenges. This information may be used by the same agency or office or might be shared through communities of practice to other components of HHS. Third, it will support efforts to measure overall impact and achievement of stated goals

Upon entry or during the judging process, solvers under the age of 18 will be asked to confirm parental consent, which will require them to obtain and provide a parent or guardian signature in a format outlined in the specific criteria of each challenge or prize competition in order to qualify for the contest. To protect online privacy of minors, birthdate may be required by the website host to ensure the challenge platform meets the requirements of COPPA. Eligibility to win a cash prize will be outlined in the specific criteria of each contest and will only apply to U.S. citizens, permanent residents, or private entities incorporated in and maintaining a primary place of business in the U.S.

To administer the cash prize, HHS will need to collect additional relevant payment information — such as Social Security Number and/or Taxpayer ID and information regarding the winners' financial institutions—in order to comply with financial accounting and income tax reporting processes. This information collection will be consistent with and under the auspices of the existing SORN 09-90-0024 HHS Financial Management System Records. No records will be retrieved using this information.

- 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. The information will be collected on challenge.gov or a similar platform for the operation of a challenge competition. The information will be used by agency program managers, and administration officials to evaluate and judge elements of the challenge competitions.**

Information obtained from the solution provider will be used by the program managers (challenge manager), other agency officials (such as general counsel representatives) and in some cases the technical reviewers acting on behalf of the program manager (challenge manager). The information collected will be used for the following purposes:

- Verifying data sources,

- Understanding whether the solution provider has met the technical requirements for the challenge,
- Ensuring that the solution provider has completed the challenge to the specifications of the challenge parameters,
- Assisting in technical review and judging of the solutions that are provided,
- Understanding the impact and results of the challenge solicitation, and
- Validating that methodology, appropriate approvals for use of data sources, and other resources used in the solution development are valid.
- Publicizing limited information about finalist and/or winning solutions and submitters.

To obtain approval for a collection under this generic clearance, HHS will provide OMB with a copy of the notice of requirements and registration for the challenge or prize competition to be published on a publicly-accessible government website (such as Challenge.gov), a standardized form that includes an estimate of the burden, and a screen shot—or reasonable facsimile—of the instrument (e.g., a questionnaire) that an entrant will be asked to submit as part of their entry.

As described in HHS policies and guidance documents<sup>3</sup> and as required by statute (15 U.S.C. § 3719), a program manager will be required to publish a notice on a publicly-accessible government website, such as Challenge.gov, announcing each challenge or prize competition. In the notice, the program manager will be required to provide answers to the following questions:

- What action is being taken?
- Why is this action necessary?
- What is the objective of the challenge?
- What is the intended effect of this action?

The program manager will also be required to fully describe the subject of the challenge or prize competition, the eligibility requirements, the amount of the prize, and the method of payment. (Included as part of this request is a copy of HHS guidance on preparing the public notice (i.e. prize announcement) announcing a prize challenge). The notice for each prize challenge will be provided to OMB (prior to publication) with information about the burden, a brief description of the questions or other information that will be requested from the entrant, and any screenshots that contain the information. *[Note: The submission will focus on the information collected as part of the challenge entry that is subject to the Paperwork Reduction Act.]*

HHS has established a managing entity to ensure compliance with the terms of this clearance. HHS requests that OMB allow for automatic approval, unless OMB identifies an issue, within 5 business days after submission.<sup>4</sup>

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or forms of information technology, e.g. permitting electronic submission of responses,**

<sup>3</sup> Available at <https://www.hhs.gov/cto/initiatives/open-innovation/resources-and-tools/index.html>.

<sup>4</sup> “If OIRA does not respond within the 5 business days, then OIRA will notify your agency that OIRA has approved the collection, and your agency may proceed with the collection under the OMB-issued control number for the approved Generic Clearance.” Fast Track PRA Frequently-Asked Questions (Feb. 2012) <https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/inforeg/pr-faqs.pdf>.

**and the basis for the decision of adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

The Challenge.gov platform is a public-facing website administered by the GSA to support the announcement, solicitation, and collection of submissions to Federal challenges and prize competitions. It enables the public to find all federal government challenge opportunities in one place, to learn about them in easy, creative ways, to make their submissions online, and to be notified of new challenges. This minimizes the time and burden to solution providers and reviewers.

Information will be collected from submitters using an online form or other mechanism, portions of which will be automated (e.g., with check boxes and drop-down lists) if possible to be easier to complete. Any portions which require unique information to be provided (such as name, email address, organization name and street address, and the description of the solution) must be completed by typing a short answer or a lengthy narrative.

#### **4. Efforts to Identify Duplication and Use of Similar Information**

As these are unique challenges that may request certain information which will be distinct for each submission (e.g., because each challenge and submission may be addressing different issues or problems), there are no previously existing methods to obtain the same information as requested.

#### **5. If the collection of information impacts small businesses or other small entities (Item 5 of OMB Form 83-I), describe any methods used to minimize burden.**

The information collected here supports challenges and prize competitions that represent substantial opportunity for entrepreneurs or small businesses. Due to the nature of these challenges and prize competitions, solution providers are likely to be entrepreneurs or small businesses who have, or aspire to have, startup companies or small businesses focused on commercializing the solutions proposed in their submissions. The accessibility of Challenge.gov (or a similar interactive technology platform) will minimize the burden of applicants from whom data will be collected.

#### **6. Describe the consequences 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 responses to these types of requests are not collected, HHS may not be able to make improvements to its challenge or prize competition policies and procedures. Each challenge or prize competition cannot be completed without a collection of data and each will require a one-time collection.

#### **7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines (5 CFR § 1320.5).**

The data collection conducted under this generic clearance will comply with the guidelines in 5 CFR 1320.5.

- *Requiring respondents to report information to the agency more often than quarterly;*
  - The participants will be required to submit their information one time only in order to participate in the corresponding challenge or prize competition.
- *Requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;*
  - The respondents will be required to respond as directed in the respective challenge or prize competition guidelines.
- *Requiring respondents to submit more than an original and two copies of any document;*
  - Respondent will only submit one original copy for a given challenge or prize competition.
- *Requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;*
  - Respondents will not be required to retain any records.
- *In connection with a statistical survey, that is not designed to produce valid and reliable results than can be generalized to the universe of study;*
  - Not applicable.
- *Requiring the use of a statistical data classification that has not been reviewed and approved by OMB;*
  - Not applicable
- *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*
  - Not applicable
- *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.*
  - Any collection authorized under this generic clearance will follow instituted procedures to protect the information's confidentiality to the extent permitted by law.

## **8. Federal Register Notice/Outside Consultation**

On April 15, 2019, the 60-day *Federal Register* notice was published in Volume 84, Number 72, Page 15227. There were no comments received. In addition, HHS remains in close contact with the challenge and prize competition community to obtain their views on the submission of information to the Challenge.gov platform.

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

For many challenges and prize competitions, prizes in the forms of cash or material goods are offered as a means for rewarding the best solution(s). The payment or gift is only made upon competing and being selected as a finalist or winner of the challenge.

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

Participation in a challenge or prize competition is entirely voluntary. The Challenge.gov website provides clear parameters for the respondents regarding the type of information that is requested to participate in a challenge or prize competition. Each challenge will be governed by the terms of a prize announcement issued for that particular challenge, which a submitter must agree to in order to submit a solution for consideration. Each prize announcement will warn participants that the materials they submit to HHS become HHS agency records and that they must clearly delineate any intellectual property and/or confidential commercial information contained in a submission they wish to protect as proprietary data. The prize announcement will also explain that limited information about finalist and/or winning solutions and submitters is intended to be publicized.

Records will not be retrieved directly by personal identifiers, so this collection is not subject to the Privacy Act (5 U.S.C. § 552a). For records maintained by HHS, a records management schedule has been selected, approved, and will be followed for any data collection authorized under this generic clearance.

**11. Sensitive Questions**

Certain sensitive demographic information such as race, age range, and gender may be collected from entrants in some competitions, but would be used only for the purpose of evaluating the diversity of participants at an aggregate level. Certain solutions will contain sensitive business proprietary information.

**12. A & B Burden Estimate (Total Hours & Wages)**

Under this generic clearance, HHS anticipates conducting approximately 20 challenges or prize competitions per year, each receiving approximately 100 respondents, for an approximated total of 2,000 respondents per year. While each solution provider will create a submission (e.g., video, essay, study, etc.), the time it will take to complete such a submission will vary. However, HHS estimates that these challenges or prize competitions would, on average, take 5-30 hours to create, depending on the complexity of the problem and proposed solution. The following table provides estimates of the average annual burden for collecting the proposed information.

*Estimated Annualized Burden Table*

<b>Respondent (if necessary)</b>	<b>Number of Respondents</b>	<b>Number of Responses per Respondent</b>	<b>Average Burden per Response (hours)</b>	<b>Total Burden Hours</b>
<b>Individuals or Households</b>	1,000	1	10/60	166.7
<b>Organizations</b>	500	1	10/60	83.3
<b>Businesses</b>	440	1	10/60	73.3
<b>State, territory,</b>	60	1	10/60	10.0



<b>tribal or local governments</b>				
<b>Total</b>				<b>333.3</b>

***Estimated Annualized Burden Costs***

<b>Respondents (if necessary)</b>	<b>Total Burden Hours</b>	<b>Hourly Wage Rate</b>	<b>Total Respondent Costs</b>
<b>Individuals or Households</b>	166.7	\$27.70 <sup>i</sup>	\$4,617.59
<b>Organizations</b>	83.3	\$27.70	\$2,307.41
<b>Businesses</b>	73.3	\$27.70	\$2,030.41
<b>State, territory, tribal or local governments</b>	10.0	\$27.70	\$277.00
<b>Total</b>	<b>333.3</b>		<b>\$9,232.41</b>

<sup>i</sup> Average Hourly and Weekly Earnings of All Employees on Private Nonfarm Payrolls by Industry Sector, Seasonally Adjusted (March 2019) <https://www.bls.gov/news.release/empsit.t19.htm>.

**13. Capital Costs (Maintenance of Capital Costs)**

**Provide an estimate of the total annual cost burden to the respondent or record keepers resulting from the collection (excluding the value of the burden hours in Questions 12 above).**

There will be no direct costs to the respondents or record keepers.

HHS incurs no additional charges when using the Challenge.gov platform, which is operated free of charge by GSA. In some cases, HHS may enter into a grant, contract, cooperative agreement, or other agreement with a private sector for-profit or nonprofit entity or State or local government agency to administer the challenge or prize competition, which will have associated costs negotiated on an individual basis.

**14. Costs to Federal Government**

The burden to the government for the management of the information related to the additional requests for the Challenge.gov site will result in approximately 1/10<sup>th</sup> of an FTE used continuously during the 3-year period. The time required will be to associate the data collection with the submission to the challenges and prize competitions that are received. Estimated costs are \$10,150.00 per year.

**15. Program Change or Adjustment**

This is a reinstatement with change. Burden hours were increased from 251 to 333 total burden hours to provide more time for respondents to complete forms that may include more questions.

**16. Publication and Tabulation of Data**

The information collected through this request is for internal HHS review and will not be published.

### **17. Expiration Date**

The approval number and expiration date will be placed at the front of the Challenge.gov site (or other publicly-accessible government website or related technology sites that host challenge) and prize competitions pending GSA approval will be included in each of the HHS challenges that request this information.

### **18. Certification Statement**

No exceptions are taken to the certification statement.