

Frequently Asked Questions related to Challenges and Prizes.

- 1. If an agency uses Challenge.gov for a prize, challenge, contest, or competition, must it submit an information collection request (ICR) to OMB for approval under the Paperwork Reduction Act (PRA) before conducting the challenge?**

ANSWER:

As designed by the General Services Administration (GSA), agency use of Challenge.gov tools to conduct challenges—including the platform’s registration, public voting, and blog/discussion functionalities—are not subject to the PRA.

OMB’s April 7, 2010 memorandum, [*Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act*](#), explained that contests in which an agency asks the general public for ideas, such agency requests would not constitute collections of information that require OMB PRA approval. Such requests could take the form of an agency’s solicitation of ideas for how the agency could improve current practices under a statute that the agency administers; for potential solutions to a scientific, technological, social, or other problem; or for innovations (e.g., video and software applications) that might advance an agency’s mission. In such cases, the agency’s request for ideas would be the kind of general solicitation that is not subject to the requirements of the PRA. (See 5 C.F.R. § 1320.3(h)(4)). For example, essay or video contests that permit respondents to create their own submissions are not covered by the PRA if no additional information is collected for the contest beyond what is necessary to contact the entrants.

However, the PRA may be triggered if the agency – in conducting a prize, challenge, contest, or competition – requests the submission of information beyond what would be considered as a request to the general public for ideas - such as a series of questions that entrants must answer in order to qualify for the contest. If an agency plans to regularly use this type of contest, it may consider requesting a generic clearance. (See Question 9)

In the FAQs below, additional information is provided on whether specific types of information requested in challenges require PRA approval. OMB’s Office of Information and Regulatory Affairs (OIRA) also recommends that agencies consult with their PRA office or, if necessary, their OIRA desk officer if there are questions regarding whether a challenge is subject to the PRA.

- 2. If an agency uses a platform other than Challenge.gov for conducting a contest, must it submit an ICR to OMB for approval under the PRA before conducting the challenge?**

ANSWER:

The need to submit an information collection to OMB for approval under the PRA depends not on the platform used, but on the nature of the information collected. Therefore, the same principles apply to both challenges hosted on Challenge.gov as well as those hosted elsewhere.

As explained above in the answer to Question 1, agency solicitations to the general public for ideas – such as ideas for improving current practices under a statute that an agency administers; for potential solutions to a scientific, technological, social, or other problem; or for innovations (e.g., video and software applications) that might advance an agency’s mission—fall within the category of information that is not subject to the PRA. [See OMB’s April 7, 2010 memo, [Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act](#)].

Thus, as noted above, a challenge that permits respondents to create their own submissions will not be covered by the PRA if no additional information is collected for the contest beyond what is necessary to contact the entrants. If, however, an agency requests more information with a challenge submission (e.g. a series of questions that entrants must answer to take part in the contest or demographic information about the entrants), the information collected as part of the challenge may be covered by the PRA.

OMB’s Office of Information and Regulatory Affairs (OIRA) recommends that agencies consult with their PRA office or, if necessary, their OIRA desk officer if there are questions regarding whether a challenge is subject to the PRA.

Questions 3-7 provide further insight on whether an agency needs to seek PRA approval when requesting additional information in their challenge or contest. These questions do not represent an exhaustive list of situations. OIRA recommends that agencies consult with their PRA officer, or, if necessary, their OIRA desk officer if they have questions.

- 3. If an agency requests that a title for an idea, solution, or entry be provided as part of a challenge or a contest, does the agency need to seek PRA approval?**

ANSWER:

No. OMB considers the title of the entry to be part of the submission created by the entrant. Therefore, if a challenge or entry is otherwise not subject to the PRA, the request for the title would not trigger the need for PRA approval.

- 4. If an agency requests that entrants provide a script with video entries, does the agency need to seek PRA approval?**

ANSWER:

No. OMB considers scripts to be part of the creation of the submitted video. Therefore, if a challenge or entry is otherwise not subject to the PRA, the request for the script would not trigger the need for PRA approval.

- 5. If a challenge encourages or requires the use of key resources (e.g., a competition for the best software application that uses at least one of a number of publicly available data sets identified by the agency), would the agency need to obtain OMB's PRA approval in order for the agency – using a structured question – to ask entrants to identify the resources that they incorporated into their submissions (e.g., the data set used by the software application)?**

ANSWER:

No. Similar to the title of the entry (See Question 3), OMB considers this type of information to be intrinsic to the submission. Therefore, if a challenge or entry is otherwise not subject to the PRA, such a request would not trigger the need for PRA approval.

- 6. If an agency develops a challenge that provides awards for different categories and requests that entrants identify their entry by a category using a structured question, does the agency need to seek PRA approval?**

ANSWER:

No. Similar to a title of the entry (See Question 3), OMB considers this type of information to be intrinsic to the submission. Therefore, if a challenge or entry is otherwise not subject to the PRA, the request for this information would not trigger the need for PRA approval.

- 7. If an agency requests that entrants identify entries posted on social media websites with a common hash tag (e.g. an agency requests entrants to use “#USchallenge” for entries posted to YouTube or a similar site), does the agency need to seek PRA approval?**

ANSWER:

No. If the content of the hash tag is supplied by the agency, it is not subject to the PRA. (See 5 CFR 1320.3(c)(2))

8. If a challenge will be conducted by a third party or be implemented using services offered by a third party, is it necessary to seek OMB approval under the PRA?

ANSWER:

If an agency is not conducting or sponsoring the challenge, it is not subject to the PRA. For example, if a private organization is conducting a contest, the PRA is inapplicable even if an agency is informed and provides suggestions, advice, and technical assistance (so long as the agency is not making a specific request or in a position to approve a challenge or its design). Items collected by third party websites or platforms that are not collecting information on behalf of the Federal Government are not subject to the PRA.

If an agency does not conduct the challenge (i.e., collects the information itself, using its own staff and resources), but sponsors the collection by, for example, designing the contest or providing the award, the PRA could apply if the information collected is beyond what is necessary to contact the entrants. (See Question 1)

Under the PRA, an agency “sponsors” a collection if the agency (1) causes another agency to collect the information, (2) contracts or enters into a cooperative agreement with a person to collect the information, (3) requires a person to provide information to another person, or (4) in similar ways causes another agency, contractor, partner in a cooperative agreement, or person to obtain, solicit, or require the disclosure to third parties or the public of information by or for an agency. In the context of collections that are not Federally funded, a Federal agency does not “sponsor” an information collection if it merely provides suggestions, advice, or technical assistance to a non-Federal entity (governmental or private) that will conduct the collection on its own initiative. [See OMB’s December 9, 2010 memorandum, [Facilitating Scientific Research by Streamlining the Paperwork Reduction Act Process](#)].

When difficult questions arise, (e.g. if the agency will be listed as a formal partner or otherwise identified as sponsoring the collection of information associated with the challenge), agencies are encouraged to discuss specific cases with their PRA offices and OIRA desk officers prior to the collection of information to determine whether the collection is subject to the PRA.

9. Can the same generic clearance be used for different kinds of contests and challenges?

ANSWER:

In the context of challenges and contests, it would be acceptable to request a generic clearance that covered challenges and contests on a variety of themes and several challenges and contests that covered the same topic.

A generic ICR is a request for OMB approval of a plan for conducting more than one information collection using very similar methods when (1) the need for and the overall practical utility of the data collection can be evaluated in advance, as part of the review of the proposed plan, but (2) the agency cannot determine the details of the specific individual

collections until a later time. Clearances of generic ICRs provide a significantly streamlined process by which agencies may obtain OMB's approval for particular information collections – usually voluntary, low-burden, and uncontroversial collections.

It is important that the agency be able to provide enough detail about the types of activities covered under the generic to allow OMB to determine whether “the collection of information by the agency is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility,” and thus to approve the generic ICR.

For more information, see OMB's May 28, 2010 memorandum, [*Paperwork Reduction Act - Generic Clearances*](#).

Agencies are encouraged to discuss their plans for generic clearances with OIRA desk officers early in the planning process. They are also encouraged to examine existing generic approvals for challenges and contests, such as the [HHS approved collection for Challenge and Competition solicitations](#).