

June 18, 2020

Ignite Open Innovation (OI) Forum

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**Tackling the Paperwork Reduction Act (PRA)
in the Age of Social Media and Web-based Interactive Technology**

Thursday, June 18 at 2:00 - 3:00 PM Eastern

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PRA Presentation Slides

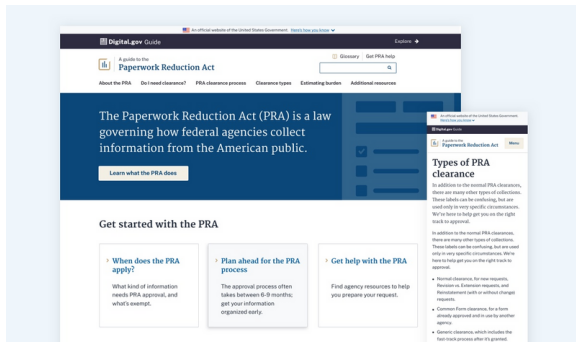


PRA Video Recording



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Jeff Parrillo



**Department of Interior (DOI)
Departmental Information Collection
Clearance Officer**

James Sayer



**U.S. Geological Survey (USGS)
Information Collection Clearance
Officer**

**"PRA and Usability Testing"
Presentation at CDI Usability
Meeting April 15, 2020**

Agenda

Crowdsourcing, citizen science, and prize competitions are open innovation techniques for engaging, educating, and empowering the public to contribute their talents to a wide range of scientific and societal issues. Often these contributions come from a large number of volunteers and can vary in the types of information or activity being requested. When the federal government collects information from 10 or more non-federal people, this often requires Paperwork Reduction Act (PRA) Clearance to ensure we reduce the burden on the public for collecting information. Although these open innovation activities are often voluntary and not typically seen as a burden on the public, there is still growing confusion on if PRA applies to these public engagement projects and how to complete the PRA process.

In this Ignite Open Innovation (OI) Forum, we have three Information Collection Clearance Officers from DOI (Jeff Parrillo), USGS (James Sayer), and FWS (Madonna Baucum) that will explain the basics of the Paperwork Reduction Act (PRA), discuss how the PRA applies to crowdsourcing, citizen science, and prize competition activities, as well as a Q&A discussion with the audience. Please share any questions you have ahead of time, especially if you cannot attend the forum. This meeting will be recorded and posted on this [Open Innovation June 18 Meeting Page](#) and in the [Ignite OI Forum Stream Channel](#) (only accessible to DOI bureaus).

- **Background on the Paperwork Reduction Act (PRA)**
- **Overview of the Digital.gov Resource - A Guide to the Paperwork Reduction Act**
 - [Digital.gov News Article on Developing the PRA Guide](#)
- **Discussion on how the PRA applies to Crowdsourcing, Citizen Science, and Prize Competition activities**
 - [CitizenScience.gov Toolkit Law and Policy Guidance](#)
 - **"Balancing Citizen Science Data Collection Needs and Privacy Protections"**
Citizen Science Association (CSA) Webinar ([YouTube Video](#))
 - **"Approaching Informed Consent in Citizen Science: Legal and Ethical Issues"**
Citizen Science Association (CSA) Webinar ([YouTube Video](#))

Paperwork Reduction Act (PRA) Resources

- [Paperwork Reduction Act of 1995](#)
- [Digital.gov - A Guide to the Paperwork Reduction Act](#)
- **Office of Management and Budget (OMB) - Office of Information and Regulatory Affairs (OIRA) Memos**
 - [Complete Federal Collection of Information OMB/OIRA Memos](#)
 - **2010 OMB Memo - "Information Collection under the Paperwork Reduction Act"**
 - **2010 OMB Memo - "Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act"**
 - **2014 OMB Memo - "Web-based Interactive Technologies: Data Search Tools, Calculators, and the Paperwork Reduction Act"**
 - **2016 OMB Memo - "Flexibilities under the Paperwork Reduction Act for Compliance with Information Collection Requirements"**

Madonna Baucum



*U.S. Fish and Wildlife Service (FWS)
Information Collection Clearance
Officer (DOI alternate)*

The Basics of the Paperwork Reduction Act (PRA)

- **Do I Need PRA Clearance?**
 - Not every request or collection falls under the PRA's scope, and you may not need clearance at all. Voluntary collections are not automatically exempt. When figuring out if PRA clearance is needed, consider the following:
 - What type of information are you collecting,
 - Who are you collecting it from,
 - How will you be collecting it, and
 - Why you are collecting this information.
 - **Voluntary or Mandatory Collection**
 - Voluntary collections are not automatically exempt.
 - Regardless whether your collection is voluntary (i.e., the public is not required by law to provide information) or mandatory, the Paperwork Reduction Act treats the collection the same.
 - **Who are you collecting information from?**
 - Members of the public: Generally, this means people or groups outside of the federal government. Some groups that are considered members of the public include:
 - Individual people (including federal contractors)
 - Businesses and associations
 - State, territorial, tribal, and local governments
 - Foreign governments, businesses, and individual people
 - In general, the PRA applies even when information is collected from non-US citizens, residences, or businesses as those entities are considered "persons" under the Act. If you're only collecting information from federal employees or military personnel as part of their job, then you don't need PRA clearance. If the information isn't part of their work-related duties, you may need PRA clearance.
 - **Ten or more people or groups**

The Basics of the PRA continued...

- **Types of Clearances**
 - **Normal Clearance**
 - **PRA Approval Process** - Most agencies estimate 6 to 9 months for PRA clearance from agency development to OIRA's decision.
 - Step 1 - Agency develops the information request. Your agency may have an internal approval process at this stage
 - Step 2 - Agency publishes 60-day notice to the Federal Register for comment
 - Step 3 - Agency considers the public comment on the notice, and makes changes, if applicable
 - Step 4 - Agency publishes 30-day notice to the Federal Register for public comment and concurrently submits final package to OMB for review including **Supporting Statements**
 - Step 5 - OMB reviews and engages the agency on any questions/comment, then issues a decision
 - **Generic Clearance**
 - **Specific type of collection, usually associated with surveys, customer satisfaction surveys, focus group tests, and website usability surveys, that allows for conducting more than one information collection using very similar methods.** Most generic clearances cover collections that are voluntary, low-burden, and uncontroversial.
 - Generic clearance may be appropriate when (1) the need for 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. They almost always involve statistical methods and analysis.
 - Generic clearances still require the initial generic collection to go through the **normal PRA process**, but allows for quicker clearance of associated collections later on.
 - Generic clearance is best when you'll have multiple collections which:
 - Request similar information,
 - Have a low burden estimate,
 - Don't raise substantive or policy issues, and

- Over a 12-month period, if you are requesting the same information from ten or more people or entities, you need PRA clearance. If you're requesting information from fewer than ten people or groups, but they represent the majority or all of an industry or sector, you may need PRA clearance.
- **PRA and the Web / Internet**
 - **"User account creation"**
 - Profiles and accounts that only request an email address, username, password, and geographic location (e.g., state, region, or ZIP code) don't need PRA approval. If more information is requested, it may need PRA approval, because the information requested likely goes beyond the scope of what's needed to create an account.
 - **Social networks, blogs, webinars, and other public meetings**
 - Covered under the "public meetings" exclusion, these generally don't need PRA approval, as long as the public is not surveyed or asked identical questions: Public conference calls, Webinars, Blogs, Discussion boards, Forums, Chat sessions, Social networks, Online communities.
 - **Wikis and collaborative drafting platforms**
 - Web-based collaboration tools that facilitate interactions between the agency and the public and essentially provide a technology-based equivalent to in-person collaboration generally don't need PRA approval. If they are used to collect information that an agency would otherwise gather by asking for responses to identical questions, however, they would need PRA approval.
 - **General Solicitations**
 - The PRA does not apply to posts that allow members of the public to provide general or unstructured feedback about a program (such as a standard Federal Register notice, a request for comments on a report or proposed initiative, or a request for ideas, comments, suggestions, or anything else that might improve the program).
 - **Contests / Prize Competitions**
 - An agency might ask the general public for ideas for improving current practices under a statute that it 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. These general requests do not become subject to the PRA. Rankings, ratings, or votes submitted by website users to determine a winner are not "information" subject to the PRA.
 - **Direct Observations of Users Interacting with Digital Services Tools and Products**
 - When agencies obtain information on user interactions with digital services tools or products, including prototypes of those tools or products, they may not be subject to the PRA. OMB does not generally consider facts or opinions obtained through direct observation by an employee or agent of the sponsoring agency or through non-standardized oral communications in connection with such direct observations to be information under the PRA.
- **Generic Clearance Fast-Track Process** is not a type of approval that can be requested but is a specific type of generic clearance primarily used for customer satisfaction surveys. Fast-track requests generally don't have to undergo additional public comment, and are reviewed within 5 business days after submitting all materials.
- **Common Form Clearance**
 - A clearance used by two or more agencies, or government-wide, for the same purpose. One agency will host the collection to use itself, and additional agencies can request to use that collection.
 - After OMB approves the primary collection, any agency that wishes to collect the same information and use it for the same purpose can obtain expedited approval by providing its agency-specific information to OMB (e.g., burden estimates and number of respondents).
 - Because the hosting agency has already gone through the PRA approval process, an expedited, 3-day approval is used for other agencies using the common form.
- **Expedited / Emergency Clearance**
 - A rare type of approval granted only when there is a time-sensitive need for the collection based on very specific criteria for reasons outside of the agency's control.
 - Typically, a collection is only eligible for this type of approval if the standard PRA approval process would cause likely public harm (such as the delivery of resources after a natural disaster) or missing a court-ordered or statutory deadline.
 - OMB will work with a more streamlined review process that still fits the purposes of the PRA. OMB may decide to modify or waive the public comment requirements, but you still need to make every possible effort to get public input about your collection.
 - Emergency clearances can only be approved for a maximum of six months; after this, your agency needs to renew the collection using the normal PRA process.

Generic Clearances for Crowdsourcing and Citizen Science

- **EPA Generic Clearance for Citizen Science and Crowdsourcing Projects (New) in 2016 | 2019 Renewal in Progress**
 - [60-Day Notice, 30-Day Notice, Supporting Statements, Information Collection List of Projects](#)
- **NASA Generic Clearance for Citizen Science and Crowdsourcing Projects in 2018**
 - [60-Day Notice, the 30-Day Notice, Supporting Statements, NASA Citizen Science Projects](#)
- **US Forest Service Generic Clearance for Citizen Science Projects in 2017** (Not Completed or Approved)
 - [USFS Citizen Science Projects](#)

PDF Document of Meeting Agenda and PRA Resources

Q&A Questions and Discussion

- Is the PRA similar to getting Institutional Review Board (IRB) approval that often occurs in academia? If we work with an academic partner that is able to obtain IRB approval for the project, do we still need to obtain PRA clearance?
- What is considered Personally Identifiable Information (PII) that will require a Privacy Impact Assessment (PIA)? If I am only asking PII questions for "User Account Creation", do I still need PRA approval and complete a PIA?

There is growing interest to use existing citizen science platforms like iNaturalist, eBird, and Zooniverse to leverage their existing volunteers and platform infrastructure to conduct crowdsourcing and citizen science projects and not have to start from scratch. Given that much of the user data is already developed by these third-party entities, what kind of PRA clearance is needed? Do we just need to identify the questions that are being asked in these platforms for my project and just get the questions approved?

At USGS, we have various crowdsourcing and citizen science projects that are for understanding natural hazards and relevant to emergency management. How can the "Expedited / Emergency Clearance" be used for these types of projects where a rapid response is needed to collect information from the public?

Have you come across any PRA packages using platforms like Survey123 to develop a survey using mobile apps to collect data from specific locations? How has the PRA clearance be similar or different from previous more paper-based forms of collection?

What kind of information that is collected for prize competitions are subject to and not subject to the PRA?



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Series of talks and open discussions to inform the USGS Open Innovation Strategy

The **USGS Open Innovation (OI) Community** welcomes anyone interested in using participatory science and innovation methods like Crowdsourcing, Citizen Science, and Prize Competitions to obtain ideas, data, services, and solutions from the public and organizations in an open way. **Ignite Open Innovation (OI) Forum** is a series of different talks and panels to inform the development of a USGS Open Innovation Strategy.

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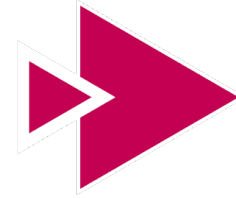
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