

OMB Clearance Justification

for

**Innovations for Healthy Kids Challenge to Promote the Open**

**Government Initiative**

**OMB No.: 0584-0555**

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**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

**Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.**

**a. Delegated Authority and Mission of the Center for Nutrition Policy and Promotion**

In the legislation that established the USDA (Department of Agriculture Organic Act of 1862, 7 U.S.C. 2201), Congress gave the Department authority for nutrition education and information dissemination. The Act called for “the general design and duties of which shall be to acquire and diffuse among the people of the United States useful information on subjects connected to agriculture and rural development.” A 1977 amendment added “...aquaculture and human nutrition...” to the subjects specified.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 directed the Secretary to carry out the following specific functions related to nutrition education and information: (1) Conduct research in human nutrition education activities; (2) Coordinate research, extension and teaching in the food and agricultural sciences conducted or financed by USDA or by other Federal agencies; (3) Establish a national nutrition education program to disseminate results of food

and human nutrition research performed by USDA; (4) Establish a Food and Nutrition Information and Education Resources Center within the National Agricultural Library.

On October 22, 1990, the National Nutrition Monitoring and Related Research Act of 1990 were enacted. Title II of the law calls for the Secretaries of Agriculture and Health and Human Services to publish a report entitled, “Dietary Guidelines for Americans” at least every five years. This report will contain nutritional and dietary guidance for the general public. In addition, the law calls for approval by both Secretaries of any dietary guidance for the general population prior to the release of that information to ensure that the guidance is consistent with the “Dietary Guidelines” or is based on new medical or scientific knowledge determined to be valid by the Secretaries.

**b. Justification for Data Collection**

The *Innovations for Healthy Kids Challenge* is an initiative of the USDA Food, Nutrition and Consumer Services. The goal of the Challenge is to provide recognition to American entrepreneurs, software developers, and students for developing innovative software applications using a recently released USDA nutrition data on Data.gov. The Challenge was launched March 2010, and submissions were accepted through June 30, 2010. The public voting period occurs from July 14 and August 14, and public votes alone will determine the winners of the Popular Choice Awards. Additional prizes will be awarded based on evaluation from the *Apps for Healthy Kids* panel of judges, and winners are

expected to be announced in late Summer/early Fall 2010. A description of the Challenge can be found at [www.appsforhealthykids.com](http://www.appsforhealthykids.com).

- 2. Indicate how, by whom, how frequently, 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.**

With childhood obesity continuing to rise, the goal of the Challenge is to motivate the creation of innovative, fun, and engaging applications or games that encourage kids, especially "tweens" (aged 9-12), to eat more healthfully and be more physically active. The Challenge will invite persons to submit an application that details how they have used the nutrient data available through Data.gov to create applications or games. Submissions will be reviewed to determine how well they meet the criteria defined within the Challenge guidelines. CNPP will use the information submitted to award applications that fulfill the goal of the Challenge.

- 3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.**

All data collection is 100 percent electronic. The Challenge participants submit information to the contest administrator and the entries are posted on the competition website, [www.AppsforHealthyKids.com](http://www.AppsforHealthyKids.com), for review and judging.

- 4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purpose described in item 2 above.**

There is no duplication involved in this process of collecting data. This is a unique effort to expand the ways in which technology can be used to influence positive nutrition behaviors among children.

- 5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.**

If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden. Small businesses are impacted to the degree in which they choose to participate in the campaign. Small businesses submissions to the contest Challenge are evaluated in the same manner as other submissions.

- 6. Describe the consequence 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 the information is not collected, users will not be able to offer innovative technology to promote healthier lifestyles among a population that is largely obese and overweight. The frequency of the data collection is determined by the user based on their willingness to create a submission and develop a new technology using the nutrition data set. Inability to collect this information will diminish the public's ability to obtain participate in creative diet and physical activity interventions based on the Dietary Guidelines for Americans and diminish the agency contribution to obesity and disease prevention initiatives.

7. **Explain any circumstances that would cause an information collection to be conducted in a manner:**
- **requiring respondents to report information to the agency more often than quarterly;**
  - **requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;**
  - **requiring respondents to submit more than an original and two copies of any document;**
  - **requiring respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;**
  - **in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;**

- **requiring the use of a statistical data classification that has not been reviewed and approved by OMB;**
- **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**
- **requiring respondents to submit proprietary trade secret, 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.**

There are no special circumstances. The collection of information is conducted in a manner consistent with the guidelines in 5 CFR 1320.5.

- 8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments.**

**Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting form, and on the data elements to be recorded, disclosed, or reported.**

The 60-day notice for the “Innovations for Healthy Kids Challenge to Promote the Open Government Initiative,” was published on Wednesday, April 28, 2010 on page 22357-22358 of the Federal Register, Volume 75, No. 81. No comments were received.

**Consultation with representatives of those from whom information is to be obtained.**

The following individuals were consulted:

**Name:** Robynn Sturm

**Title:** Advisor for Open Innovation to the Deputy Director

**Affiliation:** Office of Science and Technology Policy, Executive Office of the President

**Phone Number:** 202.456.6047

**Year of Consultation:** 2009-2010

**Name:** Amanda Eamich

**Title:** Director of New Media

**Affiliation:** Office of Communications, U.S. Dept. Of Agriculture

**Phone Number:** 202.720.4623

**Year of Consultation:** 2009-2010

**Name:** Heather Self

**Title:** Attorney-Advisor

**Affiliation:** General Law Division, U.S. Dept. Of Agriculture

**Phone Number:** 202.720.5840

**Year of Consultation:** 2010

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

The respondents will receive an award if their submission is selected as one of the 8 winners. The awards are as follows:

- **Tool Category:**
  - o Grand Prize Winner - \$10,000
  - o Runner Up - \$4,500
  - o Honorable Mention - \$1,000
  - o Popular Choice Winner - \$4,500
  
- **Games Category:**
  - o Grand Prize Winner - \$10,000
  - o Runner Up - \$4,500
  - o Honorable Mention - \$1,000
  - o Popular Choice Winner - \$4,500

Prize money will be provided by USDA with the exception of the GE Heathymagination Student Awards, for which prize money will be provided to the Winners by GE Heathymagination. Following the announcement of the awards,

winners will be honored at a White House event in Washington, DC. Travel to the event for Grand Prize Winners, Runners Up, Popular Choice Winners, and Winners of the Corporate Recognition Award will be provided by USDA in the amount of up to \$500 for individual Winners and up to \$1,500 for winning teams. Travel to the event for Winners of the GE Healthymagination Student Awards will be provided by GE in the amount of up to \$500 for individual Winners and up to \$1,500 for winning teams.

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

The home page of the web site describes its purpose and provides contact information. The website information collected is voluntary in nature and does not collect or retain personal identifiable information ([www.appsforhealthykids.com](http://www.appsforhealthykids.com)).

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.**

This information collection does not involve questions of a sensitive nature.

**12. Provide estimates of the hour burden of the collection of information. The statement should:**

- **Indicate the number of respondents, frequency of response, annual hour burden, and an explanation of how the burden was estimated. If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 of OMB Form 83-I.**

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Respondent Type	(b) Affected Public	(c) No. Respondents	(d) No. Responses Per Respondent	(e) Est. Total Annual Responses (cxd)	(f) Hours Per Response	(g) Total Burden (exf)	Hourly wage rate	Total Cost to Respondent (gxh)
<b>Reporting Burden</b>								
Contest participants	Individual/household	25	1	25	55.25	1,381.25	\$ 18.53	\$ 25,594.56
	Business	75	1	75	55.25	4,143.75	\$ 18.53	\$ 76,783.69
	Third Party Disclosure*	3	1	3	0.50	1.50	\$ 5.00	\$ 7.50
<b>Total Annual Burden Estimates</b>		<b>100</b>		<b>103</b>		<b>5,526.50</b>		<b>\$102,378.25</b>

*\* Note: FNS will disclose information on the three winners to GE for award purposes and those three winners are not double counted in the total number of respondents.*

The total respondent burden for this collection is expected to be 5,526.25 for a one time submission. An estimated 100 respondents will submit nutrition and physical activity technology for the contest. Total time to respond to this information collection will include completing the application and developing products using the

FNCS nutrition data. Based on information provided by the Challenge administrator, it is estimated that respondents will need about 3300 minutes (55 hours) to develop products and approximately 15 minutes (.25 hours) to complete the online application. The cost associated with the response burden is \$102,893.25.

- **Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories.**

The estimate annualized cost to respondents for this information collection is based on \*\$18.53 hourly rate is derived from the U.S. Department of Labor, Bureau of Labor Statistics, July 2009. See <http://www.bls.gov/news.release/pdf/empst.pdf>. See table above for actual costs.

13. **Provide estimates of the total annual cost burden to respondents or record keepers resulting from the collection of information (do not include the cost of any hour burden shown in items 12 and 14). The cost estimates should be split into two components: (a) a total capital and start-up cost component annualized over its expected useful life; and (b) a total operation and maintenance and purchase of services component.**

There is no capital/startup or ongoing operation/maintenance costs associated with this information collection.

- 14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost and any other expense that would not have been incurred without this collection of information.**

The estimated annualized cost to the Federal government is approximately \$90,700. This estimate is based on the following:

Employee Labor and Materials for Analyzing, Evaluating Summarizing, and/or Reporting on the Collected Information:	\$700
Challenge Administration:	\$50,000
Federal Awards:	\$40,000
	<hr/>
Subtotal:	\$90,700

- 15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-1.**

This is a revision of a currently approved data collection. This adjustment is due to third party disclosure which was inadvertently left out during the emergency clearance. The current burden inventory is 5,525 and the requested burden is 5,526 an increase of 1 hour.

- 16. For collections of information whose results are planned to be published, outline plans for tabulation and publication.**

There are no plans for statistical analyses in publications.

- 17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.**

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

- 18. Explain each exception to the certification statement identified in Item 19 "Certification for Paperwork Reduction Act."**

There are no exceptions to the certification statement being requested.