

**1SUPPORTING STATEMENT A
FOR PAPERWOK REDUCTION ACT SUBMISSION**

**NATIONAL CAPITAL REGION APPLICATION FOR PUBLIC GATHERING
36 CFR 7.96(g)
OMB Control Number 1024-0021**

Terms of Clearance. None.

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

The Public Gathering Permit System is an extension of the National Park Service (we, NPS) statutory responsibilities to protect the park areas it administers and to manage the public use thereof (16 U.S.C. 1, 3). NPS regulations contained in Title 36, Code of Federal Regulations, Section 7.96 implement statutory mandates to provide for resource protection and public enjoyment. These regulations reflect the special demands on many of the urban NCR parks as sites for demonstrations and special events.

The fact that an average of over 2,000 applications are received each year for permits to conduct demonstrations and special events in the NCR reflects the competition for use of Federal public lands in the Washington, D.C. area. This figure does not include the many small-scale demonstrations that occur without a permit. This demand necessitates a system by which the few park areas are equitably allocated. The present permit system accomplishes this allocation on a "first-come-first-served basis," requiring information from applicants as to the time, location, and numbers involved in their events. At the same time, this keen demand for use of park areas necessitates restrictions on demonstrations and special events to protect park resources. Therefore, the present permit system incorporates requirements for information from applicants as to the nature of their activities. Finally, the demand for use of public areas in urban areas necessitates effective law enforcement. Especially around the White House, the NPS has responsibilities to ensure the security of that location and conduct of business within the site. In addition, the NPS must protect the public and demonstrators during large gatherings. It is not unusual for two groups with diametrically opposed views to request the same area at the same time.

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. Be specific. If this collection is a form or a questionnaire, every question needs to be justified.

We collect information in the Public Gathering Permit application that allows us to determine that groups conducting demonstrations and special events will use adequate measures to ensure order within their own ranks. To assist in protecting demonstrating groups, we also require that permit applications include information about individuals or groups that may wish to disrupt the permitted group's activity. Permit applications also provide a means to request waivers of numerical limitations on the White House sidewalk and in Lafayette Park and to ensure demonstrating groups take adequate measures to minimize the possibility of danger to the White House and its occupants. We use this information to determine:

- a. Identity of the person(s) or organization(s) requesting authorization to conduct a demonstration and or special event, and to determine whether the applicant(s) meets statutory requirements to conduct the activity.

- b. Nature of the proposed activity and whether there is statutory authority to grant permission to engage in it.
- c. Whether the proposed activity is in derogation from park values or purposes.
- d. Relationship between the proposed activity and the primary purpose(s) for which the park area was established and relevant park planning documents.
- e. Whether there is a legitimate NPS need or interest in the proposed activity.
- f. Whether the proposed activity would require a commitment of public resources or facilities, whether such commitments are legitimate and appropriate, and whether they are available.
- g. Long- or short-term adverse effects caused by the proposed activity on park resources, facilities, or programs.
- h. Need for attaching special conditions or mitigating measures to the permit, if issued.
- i. Total cost to the park of monitoring proposed activity.
- j. Whether a waiver of numerical limitations on the White House sidewalk and/or Lafayette Park should be granted
- k. Law enforcement resources needed to assure public safety and site security, especially at the White House, during the activity.

We collect information on the application only as often as necessary to issue a permit. Information pertaining to the applicant/permittee is minimal: name, address and telephone number. Information pertaining to the demonstration or special event is more detailed; however, the information required is limited to the basic facts necessary for the NCR to make the determinations described above that apply to the particular request. A request for renewal would require only a brief written or verbal confirmation that the existing information remains accurate.

Depending on the size and complexity of the proposed activity, we may require applicants to submit supporting documents such as:

- **Site Plan.** A complete site plan must be submitted if tents, stages, or any other type of structure are to be placed on parkland; stakes driven; or any other ground-disturbing activity conducted. The site plan will clearly display all structures, including food, beverage and first-aid tents, sound and lighting towers, generators and cable runs, and security or crowd-control fencing. Large-scale structures, such as tents and towers, may require the submission of engineered drawings stamped by a structural engineer licensed in the United States.
- **Sign Plan.** The plan will provide the overall size, number, and design of any signs or banners. We will use this information to ensure that authorized sponsor recognition is in keeping with NPS policy, regulations, and law, and is appropriate to the scale and theme of the activity.
- **Risk Management Plan.** For events with significant equipment use during set-up and tear-down, we may require a risk management plan. The plan must cover equipment setup, equipment operation, materials storage and handling, fire protection, and property and personnel protection.
- **Administrative Documents.** We may require that applicant's submit a portable toilet contract, evidence of liability insurance coverage, IRS W-9 form, or an electronic funds transfer form.

The NCR must ensure permit information remains accurate in order to be able to assess the cumulative effects of permitted activities on park resources and programs, to assure that the original permit justifications remain valid, to be able to evaluate requests for new permits, and to contact permittees to relay information concerning changes in permits or conditions.

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 and specifically how this collection meets GPEA requirements.

For security reasons, the information collection does not involve use of electronic submissions at this time. However, the application is available [online](#) as a fillable PDF that can be mailed or brought into the office. Completed applications require an original signature as well as contain personally identifying data. The bulk of requested supporting information consists of drawings, maps, site plans, photographs and other images.

We are working toward a secure electronic data collection of the form. The electronic version of the form will collect the same data as the paper form. The online application will allow people to self-select certain information and provide a way to submit supplemental information. In addition, all payments for permit applications will be collected through Government systems like pay.gov, recreation.gov, etc. We have completed updating the computer database to a cloud system. We estimate that the online permitting system will be completed sometime in 2015.

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

The initial information requested is not otherwise available to the NPS. Once collected, no additional information requirements are imposed on an applicant as long as the permit remains valid. Application and permit information is kept in NCR files for the life of the permit to eliminate duplicated requests, to allow NCR to determine whether facility or area capacities are being approached or exceeded, to prevent conflicting uses from being permitted simultaneously, and to allow the NCR to set program priorities in response to scheduled activities or park uses.

No similar information pertaining to park areas is collected by the NPS or any Federal or State agency. Although the NPS has sought to eliminate duplication in this program, very few opportunities were identified due to the focus on individual event activities or uses rather than on the person to whom it is issued. Duplication could be eliminated only in a small percentage of cases when the same person proposes to engage simultaneously in more than one activity, each of which requires a permit. In such cases, a single permit could be issued.

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

The Public Gathering Permit only authorizes demonstrations and special events as engaged in by individuals, groups, or other activities. The information requested is limited to the minimum necessary to accomplish NPS objectives and responsibilities in granting the requested authorization. Therefore, the information collected imposes no greater burden to a small entity

than is placed on an individual.

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.

Since circumstances vary with each individual applicant and with each proposed use of public lands, there is no information available that can be used in lieu of information requested from the applicant. Failure or inability of the NCR to collect or receive the necessary information could result in any or all of the following situations or consequences:

- an individual or organization could unknowingly engage in an activity that violates a Federal statute or regulation;
- the NCR could deny approval of an activity that is a person's or organization's legal right to conduct;
- an activity could take place that exceeds the support capabilities of a park staff for monitoring, facilitating, and for protection and rehabilitation operations;
- park resources could be damaged significantly by persons engaging in an activity of which the NCR had no knowledge or because the park staff had no opportunity to convey information about park resources and considerations requiring special attention;
- park resources could be damaged through the cumulative impacts of persons exceeding established public use limits;
- conflicts could occur between persons seeking to engage in incompatible activities in the same location or those seeking to use facilities whose capacities would be exceeded;
- park resources could be damaged by NCR's inability to attach conditions or require mitigating measures in conjunction with the issuance of a permit;
- undesirable and/or illegal precedents could be established by having certain activities take place without NCR's knowledge making subsequent efforts to prevent or discourage similar activities difficult or impossible;
- visitors could be exposed unknowingly and unnecessarily to hazards because the NCR lacked the opportunity to make contact pursuant to the information collection/exchange process; and inadequately planned law enforcement resources could result in injury to the public, public buildings, and businesses; and place the White House and its occupants at risk.

7. Explain any special 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 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.

There are no circumstances that require us to collect the information in a manner inconsistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and in response to the PRA statement associated with the collection over the past three years, and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

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 format (if any), and on the data elements to be recorded, disclosed, or reported.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every three years — even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

On, July 23, 2013, we published in the Federal Register (78 FR 44147) a notice of our intent to request that OMB renew this information collection. In that notice, we solicited comments for 60 days, ending on September 23, 2013. We did not receive any comments in response to that notice.

In addition, the following individuals were contacted and asked to provide comment on the information collection requirements:

Marsha Guenzler-Stevens Vietnam Women's Memorial Foundation 3100 Stamp Student Union College Park, MD 20742	Joann Walker Vietnam Veterans Memorial Fund 2600 VA Ave. Suite 104 Washington, DC 20037
Andrea Stevens 470 L'Enfant Plaza SW Suite 7103 Washington, DC 20024	Patricia Gill 5272 River Road, Suite 700 Bethesda, MD 20816
Julie Fisher 7910 Woodmont Ave, Ste 1200 Bethesda, MDC 20814	John Brathwaite P.O. Box 71140 Washington, DC 20024
Michael Ticzon 4330 East West Highway, Suite 905 Bethesda, MD 20814	Amy Daily 1100 Ohio Drive Washington, DC 20242

Comment: It is not clear that an original signature is needed on the form.

Comment: It would be helpful if there were a tracking or reference number generated once the application is turned in. The application process could be improved by sending an official confirmation to the applicant within 2 weeks of receiving the application. In addition, the park service should contact the organization holding the event at least 2 weeks before the event to confirm the event, and confirm that there has been no "double-bookings" for that day.

Comment: It would be helpful if the application process were more defined, so that a location for events can be determined earlier on.

Comment: The form could be improved by providing a number or email address where one can reach a contact at the National Park Service.

Comment: The application form could be improved if it were electronic. The application process could be improved if it were automated online with visibility to days that are available online.

Comment: The application fee jumped from \$50 to \$120. That is a 120% increase with no guarantee you will get the date you apply for.

Comment: The application and process could be improved if there were downloadable maps of parks/location of where special events and demonstration can be held.

Comments: Instructions can be confusing to some, especially in the area of cost recovery and application processing costs.

The individuals who provided comments indicated that the application was straightforward and simple, taking between 5 to 30 minutes to complete. There were no significant changes made to the application. However, the application was reformatted to make it easier to read and added additional space for logistical questions. The application requires an ink signature. The reformatted application explains that faxed, emailed and Xeroxed copies are not accepted. We have revised the instructions to clarify the procedures.

Permit applications are assigned a permit number at the time of receipt, this number is assigned in order of receipt, the permit application is assigned to a ranger to process who uses this number to track costs associated with the activity. Permit applicants are given the number upon request and when they receive their finalized permit. In addition the address and phone number were changed on the application. The Division of Permits Management is working to provide online services; currently the application can be downloaded from the website.

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

No payment or gifts of any kind are made to respondents.

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

We do not provide any assurance of confidentiality. We will protect personally identifying information in accordance with the Privacy Act (Interior/NPS-1).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and 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.

No sensitive questions of this nature are asked.

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. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than 10) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size, or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.**
- * If this request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens.**
- * Provide estimates of annualized cost to respondents for the hour burdens for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here**

We estimate that there will be approximately 1,750 respondents. We anticipate receiving approximately 7,346 responses annually, totaling 6,123 burden hours.

We estimate the total dollar value of the annual burden hours for this collection to be \$185,088 (rounded). We used the Bureau of Labor Statistics news release USDL 13-2349, December 11, 2013, Employer Costs for Employee Compensation—September 2013 to estimate average hourly wages and calculate benefits for:

- Individuals - We used the wage and salary costs for all workers from Table 1 (\$21.54) and multiplied by 1.4 to calculate benefits, resulting in an hourly rate of \$30.16.
- Private Sector - We used the wage and salary costs for all workers from Table 5 (\$20.55) and multiplied by 1.4 to calculate benefits, resulting in an hourly rate of \$28.77.
- State/local/tribal Government - We used the wage and salary costs for all State workers from Table 3 (\$27.38) and multiplied by 1.5 to calculate benefits, resulting in an hourly rate of \$41.07.

ACTIVITY	TOTAL ANNUAL RESPONSES	COMPLETION TIME PER RESPONSE (HOURS)	TOTAL ANNUAL BURDEN HOURS	HOURLY RATE INCL. BENEFITS	\$ VALUE OF ANNUAL BURDEN HOURS*
Application - Public Gathering					
Individuals	1,474	.5	737	\$30.16	\$22,228
Private Sector	184	.5	92	28.77	2,647
Government	92	.5	46	41.07	1,889
Site Plan					
Individuals	1,302	1	1,302	\$30.16	39,268
Private Sector	85	1	85	28.77	2,445
Government	12	1	12	41.07	493
Sign Plan					
Individuals	1,302	.5	651	\$30.16	19,634
Private Sector	85	.5	43	28.77	1,237
Government	12	.5	6	41.07	246
Risk Management Plan					
Individuals	1,302	1.5	1,953	\$30.16	58,902
Private Sector	85	1.5	128	28.77	3,683
Government	12	1.5	18	41.07	739
Administrative Documents					
Individuals	1,302	.75	977	\$30.16	29,466
Private Sector	85	.75	64	28.77	1,841
Government	12	.75	9	41.07	370
Totals	7,346		6,123		\$185,088

*rounded

13. Provide an estimate of the total annual non-hour cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected in item 12.)

- * The cost estimate 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. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information (including filing fees paid for form processing). Include descriptions of methods used to estimate major cost factors including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software; monitoring, sampling, drilling and testing equipment; and record storage facilities.
- * If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate. In developing cost burden estimates, agencies may consult with a sample of respondents (fewer than 10), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
 - * Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information

collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

The application fee of \$120.00 is submitted with each special event application to recover the cost of processing the application. There is no application fee for permits to cover first amendment activities. Of the 1,750 applications received annually, approximately 1,160 are for special events. Therefore, the estimated annual nonhour cost burden associated with this information collection is \$139,200 (\$120 x 1,160).

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

Time necessary to process applications and supporting documents varies based on complexity, and is accounted for in the average minutes/permit numbers in the table below. The total estimated cost to the Federal government for processing applications is \$246,033.

	Hourly Pay Rate *	Hourly Rate with Benefits **	Average Minutes/ Permit	Average Cost/permit
Clerical				
GS-08/05	\$25.64	\$38.46	10	\$6.41
GS-04/05	\$16.70	\$25.05	20	8.35
Park Ranger				
GS-13/05	\$48.83	\$73.25	40 ***	\$48.83
GS-12/05	\$41.07	\$61.61	40	41.07
Supervising Park Ranger				
GS-14/05	\$57.70	\$86.55	20	\$28.85
Field Representation				
GS-09/05	\$28.32	\$42.48	10	\$7.08
			Total Average Cost/permit:	\$140.59

Total Cost:	1,750 applications x \$140.59 = \$246,033
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* Hourly rate based on the Office of Personnel Management Salary Table 2014-DCB.

** To calculate benefits, we multiplied the hourly pay rate by 1.5 in accordance with Bureau of Labor Statistics news release USDL 13-2349.

*** The Park Ranger-level review takes on average 80 minutes; however, each Ranger reviews half the total applications. We compensated for that in the final calculation by using half the time estimate (versus half the workload).

15. Explain the reasons for any program changes or adjustments in hour or cost burden.

We are reporting 7,346 annual responses totaling 6,123 burden hours and \$139,200 in nonhour burden costs. This is a net increase of 5,295 responses, 5,097 annual burden hours, and \$36,650 in nonhour costs.

- We are reporting as an adjustment a decrease of 301 responses and 151 annual burden hours for applications. We reduced the number of applications based on our experience in administering this collection. We are also reporting as an adjustment an increase of \$36,650 for application fees. This is a result of an increase in the application fee.
- We are reporting as program changes an increase of 5,596 responses and 5,248 annual burden hours for site plans, sign plans, risk management plans, and supporting documents. These requirements were previously overlooked and not included in our previous submission.

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

We will not publish the results of this information collection.

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.

We will display the OMB control number and expiration date on the application form and other appropriate documents.

18. Explain each exception to the topics of the certification statement identified in "Certification for Paperwork Reduction Act Submissions."

There are no exceptions to the certification statement.