

**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 responsibility to protect the park areas it administers and to manage the public use thereof (54 U.S.C. §100101). 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 National Capital Region (NCR) parks as sites for demonstrations and special events.

The fact that, on average, 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 requires 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.

Information collected in the Public Gathering Permit Application allows us to verify 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 permit applications include information about individuals or groups that may wish to disrupt the permitted group's activity. NPS Form 10-941, "Application for a Permit to Conduct a Demonstration or Special Event in Park Areas" provides a means to request waivers of numerical limitations on the White House sidewalk and in Lafayette Park. The form also ensures demonstrating groups take adequate measures to minimize the possibility of danger to the White House and its occupants. We use information from NPS Form 10-941 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-term 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, email, 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 must 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 applicants submit a portable toilet contract, evidence of liability insurance coverage, IRS W-9 form, or an electronic funds transfer form.

NCR ensures permit information remains accurate in order to be able to assess the cumulative effects of permitted activities on park resources and programs, to assure the original permit justifications remain valid, 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 beginning in 2020. 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 the planning phase for the electronic form and associated computer database to be hosted within a cloud-based solution. However, development of code for the online permitting solution is part of our Phase 2 which is not expected to be completed until 2020.

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 duplicate 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 is eliminated 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 and depending on circumstances, a single permit may be issued covering both activities. NPS is working to eliminate more duplication in the future by enabling applicants previously issued a permit to more quickly request renewed permission instead of starting the application process over again. This will be part of the software solution envisioned for implementation in 2020.

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 park staff for monitoring, facilitating, and for protection and rehabilitation operations;
- park resources could be damaged significantly by persons engaging in an unauthorized or unpermitted activity 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 unknowingly and unnecessarily be exposed 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 September 8, 2016, we published in the Federal Register (81 FR 62172) a Notice of our intent to request that OMB renew this information collection. In that Notice, we solicited comments for 60 days, ending on November 7, 2016. We did not receive any comments in response to that Notice.

In addition to the Federal Register Notice, we consulted with nine (9) individuals to validate our time burden estimate and asked for comments on the questions below. Respondents included:

Title	Affiliation
Branch Chief, Special Events	Military District of Washington
Advocate, Organizer	MCWAR Promotions, LLC
Executive Director	The Widow's Pantry, Inc.
Independent Consultant	Hargrove Inc.
Grants Coordinator	Close Up Foundation
Activist, Organizer	DC Action Lab
Event Coordinator	Honor Flight Columbus
Race Coordinator	Marine Corps Marathon
President	Muktadhara Foundation Inc.

“Whether or not the collection of information is necessary, including whether or not the information will have practical utility; whether there are any questions they felt were unnecessary”

Comments: The individuals contacted had a mixture of answers, and were very forth coming on the answers given. Respondents seemed unclear about certain portions of the application. Some respondents were lost on certain questions because they didn't seem pertinent and to the point while others felt the questions were clear and to the point.

Some of respondent comments are copied below:

“I often have to re-write my full contact information several times in a permit application. For example, in section 1, you are asking the same question twice for the most part. There could be a check box that says “same as above” or something along those lines.”

In regards to the collection of information, another respondent stated, “For our purposes, the application was quite extensive since we are just doing a march on the NPS property and we didn't need a stage and were not doing anything near the White House.”

“No, all questions were relevant.”

NPS Response/Action Taken: We reviewed the form and determined each question remained necessary. For example, more often than not the person completing the form is not the same person who listed as being in charge of the event.

“The accuracy of our estimate of the burden for this collection of information”

Comments: The respondent's time estimates to fill out the application ranged from 15 minutes (more experienced) to one hour (novice). One respondent took even longer since it was a first time considering the organization of a larger event and what they would need to know to plan one.

Also was stated that respondents took into consideration that the information needed to fill out the application was not readily available to them when they tested how long it would take to complete the application. If they were actually applying, they would have had that information on hand and it would have gone quicker. One respondent said it took two hours to complete the form because of the extra time it took them to consider gathering all the necessary information if they were actually coordinating a March or special event.

NPS Response/Action Taken: Information provided on the form and within supplemental FAQs provided with the form are provided to ease the application process and reduce the burden placed on applicants. Additional resources, including information on the park website and within the Requirements for Special Events Held on Parkland are also provided to help ease the process. The park currently maintains the capacity to help returning applicants re-apply for the same event without needing to resubmit all materials. This capacity will become even more efficient when the park is able to implement the software solution (accessible on the Internet) to support the application process in 2020. Meanwhile, the time reported for respondents to complete applications remains true, on average. Some, especially repeat respondents, require less time and those new to planning an event

may take longer. Most of our applicants have significant experience planning for such events.

“Ways to enhance the quality, utility, and clarity of the information to be collected”

Comments: More than half of respondents felt that there should be a way to submit applications online.

Two respondents stated that when submitting hand-written applications, certain sections are not large enough for the amount of info required to fill it out.

One respondent stated that the form could have a bit less information as parts of it appear cluttered. The respondent also recommended there be an attachment where you can obtain a map showing: 1) what is considered NPS property (similar to Capital Police applications), 2) if there was an area to draw a map of events/routes that would be beneficial, and 3) whether provision of a map showing a proposed march route might speed up the permit process.

NPS Response/Action Taken: Phase II of the NPS Permits Management Division is to have an online application solution which will further streamline the application process. Meanwhile, the park will ensure that maps showing NPS property and suggested event routes are made available on the park website.

“Ways to minimize the burden of the collection of information on respondents”

Comments: One specific suggestion was again to have an electronic way to submit the Permit instead of fax and snail mail. For payment options, they recommended incorporating PayPal or any form of electronic payment.

Several respondents suggested the ability of an online calendar to determine what events are going on around the National Mall, especially if you live outside the area. Also whether or not they have to pay a fee for their event.

NPS Response/Action Taken: We are working toward implementing an online application process in 2020. That solution will include integration with Pay.gov for secure electronic payment. The same solution will include the capability to determine open dates vs reserved dates. For security purposes we do not plan to offer a more detailed calendar to the public.

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. The information is protected in accordance with the Privacy Act, and we will maintain the information in a secure system of records (Special Use Permits—Interior, NPS—1, 79 FR 9272, published February 18, 2014).

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 1,885 respondents. We anticipate receiving approximately 7,477 responses annually, totaling 6,188 burden hours. We estimate the total dollar value of the annual burden hours for this collection to be \$217,367 (rounded).

We used the below listed rates in accordance with Bureau of Labor Statistics news release [USDL-17-0321](#), March 17, 2017, Employer Costs for Employee Compensation—December 2016, to calculate the total annual burden.

- Individuals. Table 1 lists the hourly rate for all workers \$34.90, including benefits.
- Private Sector. Table 5 lists the hourly rate for all workers as \$32.76, including benefits.
- Government. Table 3 lists the hourly rate for all workers as \$47.85, including benefits.

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	1,442	.5	721	\$34.90	** Expression is faulty **
Private Sector	218	.5	109	32.76	** Expression is faulty **
Government	225	.5	113	45.85	** Expression is faulty **
Site Plan					
Individuals	1,269	1	1,269	\$34.90	** Expression is faulty **
Private Sector	100	1	100	32.76	** Expression is faulty **
Government	29	1	29	45.85	** Expression

					is faulty **
Sign Plan					
Individuals	1,269	.5	635	\$34.90	** Expression is faulty **
Private Sector	100	.5	50	32.76	** Expression is faulty **
Government	29	.5	15	45.85	** Expression is faulty **
Risk Management Plan					
Individuals	1,269	1.5	1904	\$34.90	** Expression is faulty **
Private Sector	100	1.5	150	32.76	** Expression is faulty **
Government	29	1.5	44	45.85	** Expression is faulty **
Administrative Documents					
Individuals	1,269	.75	952	\$34.90	** Expression is faulty **
Private Sector	100	.75	75	32.76	** Expression is faulty **
Government	29	.75	22	45.85	** Expression is faulty **
Totals	** Expression is faulty **		6,188		** Expression is faulty **

*rounded

13. Provide an estimate of the total annual non-hour cost burden to respondents or record keepers 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 1,885 applications received annually, approximately 1,269 are for special events. Therefore, the estimated annual non hour cost burden associated with this information collection is \$152,280 (\$120 x 1,269).

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 \$295,945 (1,885 applications x \$157 rounded).

To determine average hourly rates for the Federal positions identified below, we used Office of Personnel Management Salary Table [2017-DC](#). We used the below listed rates in accordance with Bureau of Labor Statistics news release [USDL-17-0321](#), March 17, 2017, Employer Costs for Employee Compensation—December 2016, to calculate benefits.

Position	Grade/Step	2017-RUS Hourly Pay Rate	Hourly Rate Including Benefits (1.59 x hourly rate)	Time Spent on Each Permit (minutes)	Weighted Average
Clerical	GS-04/05	17.61	\$28.00	20	\$9.33
Clerical	GS-08/05	27.03	\$42.98	10	\$7.16
Park Ranger	GS-12/05	43.29	\$68.83	40	\$45.89
Park Ranger	GS-13/05*	51.48	\$81.85	40	\$54.57
Supv. Park Ranger	GS-14/05	60.83	\$96.72	20	\$32.24
Field Representation	GS-09/05	29.85	\$47.46	10	\$7.91
Average Cost Per Permit:					\$157.10

* 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 7,477 annual responses totaling 6,188 burden hours and \$152,280 in non-hour burden costs. This is a net increase of 131 responses, 65 annual burden hours, and \$13,080 in non-hour costs. The increase in annual burden is attributed to a rather slight increase in the overall number of applications received since the last report. The increase in non-hour costs is attributed to realigning the cost with each information collection corresponding to a response for a special event rather than estimating it across each response for an Application for a Public Gathering as was previously reported. This submission aligns the application fee to requests for special events.

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.