

## **OMB Supporting Statement**

### **U.S. National Arboretum Use of Grounds and Facilities as well as Commercial Photography & Cinematography Collection Number 0518-0024**

#### **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.**

The mission of the U.S. National Arboretum (USNA) is to conduct research, provide education, and conserve and display trees, shrubs, flowers, and other plants to enhance the environment. The USNA is a 446-acre public facility. The grounds of the USNA are available to the general public for purposes of education and passive recreation.

Horticulture and gardening are very important aspects of American life. The USNA receives approximately 610,000 visitors each year. Additionally, societies like the Herb Society of America and the Orchid Society like to use the USNA grounds to showcase their activities (shows and sales). The National Capital Area Federation of Garden Clubs (of which there are 3,600 members) is headquartered at the USNA.

The USNA has many spectacular features and garden displays which are very popular to visitors and photographers. One feature, the old sandstone columns from the east facade of the Capitol, is considered to be the most photographed feature at the USNA and is very popular with commercial photographers.

Section 890 (b) of the Federal Agriculture Improvement and Reform Act of 1996, Pub. L. 104-127 ("FAIR ACT") provided statutory authorities regarding the United States National Arboretum ("USNA"). These authorities include the ability to charge fees for temporary use by individuals or groups of USNA facilities and grounds for any purpose consistent with the mission of the USNA. Also, the authority was provided to charge fees for the use of the USNA for commercial photography and cinematography.

In order to administer the use of the USNA facilities (*i.e.*, determine needs and availability), as well as determine if the request to use USNA facilities is "consistent with the mission of the National Arboretum", it is necessary for the USNA to obtain information from the requestor.

#### **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.**

This information is collected by USNA officials using applications in the form of questionnaires. There are two forms/questionnaires used by the USNA: The Request for Use of Facilities Application and Agreement and Application for Commercial Photography/Cinematography. The information gathered on the photography form is the applicant's name, name of the organization providing the service, phone/fax numbers, dates and times requested for photography, how many people will be working the project, how many

vehicles involved, and an itemization of equipment to be used by the crew. Also, the application requests a detailed description of the project, what specific sites are requested for photography, and how the images or pictures will be used. The Administrative Technician uses this information to calculate the fee schedule and contacts the specific curator seeking permission to take photography in the collections. The Facilities Use Form requests the contact information that includes the name, address, phone number, e-mail address, how many people will be attending, what rooms are requested or outdoor facilities requested. There are nine questions asking whether the event is a fund raiser, will fees be charged and collected on site, will there be a sale or auction of products, will food be served, caterers used, is the vendor licensed and insured, will equipment be provided for the event, will permission be requested to serve beer & wine. There are also nine fields to fill in which include: contact information, date and purpose of event and the indoor/outdoor facility requested. The Administrative Clerk uses this information to calculate fees and seeks approval from the Office of Director for said event.

All information is used by USNA management to determine if the requestor's need can be met and (if applicable) the request is consistent with the mission and goals of the USNA.

**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 submissions 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.**

The applications are PDF fillable and can be found on our website. Both forms can be submitted electronically. Photography Applications are available on our website but are mailed to the USNA with an application fee. Currently USNA is in the process working with Pay.Gov offering electronic payments online for photography fees and facilities use. This should be implemented in 2018.

**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 primary need for the use of USNA facilities is expected to be for one time event use only. Additional requests will still require an application in order for USNA managers to determine if needs can be met (i.e., if the room is available or not). This information is not available anywhere else.

**5. If the collection of information impacts small businesses or other small entities (Item of OMB Form 83-1), describe any methods used to minimize burden.**

The collection of information does not impact small businesses or other small entities. Of the estimated 170 business respondents, approximately 15 are small entity.

**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 basic information (i.e., name, time, and dates required, rooms required, expected number to

attend) is not collected, USNA officials will not be able to determine if the requestor's needs can be met. If information relating to how this event/request fits within the mission of the USNA is not gathered, USNA managers will not be able to ensure that the requirements of Pub. L. 104-127 are met.

**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;**

USNA management requires a minimum two-week notice in order to approve or disapprove an application. This may require the respondent to complete the application in less than 30 days.

- **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 other special circumstances.

**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 describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe comments response to the Federal Register notice and efforts to consult outside the agency. Consultation with representative of those from who information is to be obtained or those who must compile records should occur at least once every 3 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.**

A Federal Register notice was published in the Federal Register on April 2, 2018 on page number 13943, Volume 83, Number 63. No comments were received. The USNA consulted three individuals for this collection. The following are the names of those consultants: Susan Chapin, FONA, 3501 New York Avenue NE, Washington, DC 20002, 202-544-8733, Crystal Williams, Washington Youth Garden, 3501 New York Avenue NE, Washington, DC 20001, 202-544-8733, and Melinda Peters, FONA, 3501 New York Avenue NE, Washington, D.C. 20002, 202-544-8733.

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

No gifts or payments are provided to the respondents.

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

There is no requirement to assure confidentiality to respondents.

**11. Provide additional justification for any questions of a sensitive nature.**

Due to the United States Department of Agriculture Homeland Security requirements, declaration of citizenship will be required for the use of the facilities or grounds.

**12. Provide estimates of the hour burden of the collection of information. The statements 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.**

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

The USNA is estimating approximately 250 requests for the use of the facilities, and 52 for photography/cinematography. Each request will require the completion of an application (see attached). The applications are simple and require information readily available to the requestor.

It is estimated that 302 responses will be received annually. The estimate time for completing both forms is 30 minutes, for a total of burden hours of 151.

Description	Number of Respondents	Responses/ Responden tc	Total Responses	Hours/ Responses	Burden Hours
Request for use of USNA facilities application agreement.	250	1	250	.30	125
Permission to photograph.	52	1	52	.30	26
Total	302		302		151

A variety of respondents submit applications for facilities use and photography to USNA that range from administrative clerks to paid members of stakeholder groups to retired garden club members. Based on the Labor Board of Statistics for the metropolitan area, I averaged the hourly rate of an administrative clerk at \$17.90 and an administrative manager at the rate of \$53.92 for an hourly rate of \$35.91. Based on \$35.91 it is estimated that the annualized cost to respondents is \$5,422.41 (151 hours of burden times \$35.91).

**13. Estimate of other total annual cost burden to respondents or record keepers.**

There are no capital and start-up, or operation, maintenance and purchase costs associated with this information collection.

**14. Provide estimates of annualized cost to the Federal government.**

It is anticipated that the approval or disapproval of each photography application and facilities use received will require approximately 60 minutes of processing by an Administrative Technician (GS-7, \$28.64/hour) and 5 minutes by the Administrative Officer, USNA (GS-12, \$48.19/hour). If 52 applications are received for the permission to photograph, that correlates to \$1,489.28 per year for Administrative Technician and \$160.00 for the Administrative Officer for a total of \$1,697.28 per year cost to the Federal government. For facilities use, it is estimated that 60 minutes is required for processing the application by an Administrative Clerk (GS-5, \$18.38/hour). If 250 applications are received, the correlates to \$4,595.00 for the Administrative Clerk. If the applications are approved, additional costs will be incurred by the government. These are costs related to support staff, utilities, and overhead required to support the approved event. These costs were used to develop the fee rates identified in the Federal Register publications.

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

The number of respondents and responses increased from 284 to 302. The burden hours have increased from 143 to 151. The increase is due to 18 additional requests for services at the USNA.

**16. For collections of information whose results will be published, outline plans for tabulation and publication.**

The USNA does not publish the information gathered. The information is used to calculate

fees and to reserve the facilities requested.

**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 USNA is not seeking approval to exempt display of the expiration date for OMB approval.

**18. Explain each exception to the certification statement identified in item 19, "Certification for Paperwork Reduction Act Submissions".**

There are no exceptions to item 19 of OMB