



United States Department of the Interior

NATIONAL PARK SERVICE

National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

IN REPLY REFER TO:

August 9, 2018

By Email: (b) (6) @gmail.com

Ms. Jasmina Mrabet and Ms. Mara Verheyden-Hilliard
ANSWER Coalition and Partnership for Civil Justice, Inc.
617 Florida Avenue, NW.
Washington, DC 20001

Dear Ms. Mrabet and Ms. Verheyden-Hilliard:

This responds to ANSWER's application 18-1459, to demonstrate at various parks with a total of 1,500 participants on August 11 through August 12, 2018, with logistical setup for the demonstration in Lafayette Park to include a stage and sound system. You have now combined with DC United Against Hate and are requesting an area in Lafayette Park for a total of 1,500 people. You are also requesting a space with no structures for 500 people in Farragut Square and 500 people in McPherson Square parks to begin on August 12, 2018. You also requested space for 100 people on the White House Sidewalk. From your latest communications with Chief, Division of Permits Management, Robbin Owen and our earlier logistical meetings, we understand that you no longer seek to use the spaces you requested for August 11, 2018.

We are pleased to issue the enclosed NPS permit 18-1459 authorizing the use of designated park areas at Lafayette Park, Farragut Square and McPherson Square parks. As in the past, you will need to coordinate with the Metropolitan Police Department, regarding your use of the city streets for any proposed marches, insofar as the city streets identified are all under the District of Columbia's jurisdiction.

We regret that the "deemed granted" portion of your application seeking use of Lafayette Park for 100 participants on the White House sidewalk must be revoked, due to security reasons and pursuant to 36 C.F.R. § 7.96(g). As we mentioned during our meeting with you on August 2, 2018, the White House sidewalk areas that are not already closed for construction related activity will now be closed on August 12 from 10:00 am – 10:00 pm. The United States Secret Service

formalized a request on August 6, 2018, requesting that the National Park Service close the remaining area of the White House sidewalk, and not issue permits for the White House sidewalk on August 12, 2018 from 10:00 am until 9:00 pm. Moreover, the United States Park Police on August 7, 2018, also formally requested closure of the area as part of a police logistical and emergency response zone they have created in consultation with both the Secret Service and Metropolitan Police Department from 10:00 am until 10:00 pm.

These closures are to facilitate law enforcement and emergency medical service response for a number of permitted events in Lafayette Park. These permitted events include the permit for Jason Kessler, Unite the Right 2 (NPS Permit 18-1166) and for your large counter-protest and three other counter protests to Mr. Kessler's demonstration. Since this event was publicly announced by Mr. Kessler, it has drawn strong and emotional calls for action, both supporting and condemning the event. The United States Park Police assessment of publicly available information, and consultation with both the Secret Service and the Metropolitan Police Department, caused the United States Park Police to take robust law enforcement and emergency response measures for the event. These measures are taken to preclude the levels of violence that were witnessed in 2017 in Charlottesville, Virginia.

The law enforcement agencies are establishing a "Law Enforcement Buffer Zone" large enough to move sufficient resources in between the protest groups to help ensure the safety of the members of each group. They will use the closed areas to de-escalate tensions between the two groups as they occur, and respond to concerns of other visitors and residents near the Park. The closure of the White House sidewalk allows for the effective deployment of resources to be focused in Lafayette Park. This closure also ensures necessary security and safety for the adjacent White House complex, its occupants, and the public. Therefore, pursuant to 36 C.F.R. § 1.5, the National Park Service has decided to create this partial and temporary public use limitation for August 12, 2018. A copy of the NPS's determination, and the Secret Service's request is enclosed for your ready reference.

If possible, based on attendance number, and the actions of participants at the permitted events and other visitors, the United States Park Police will endeavor to reduce the size, scope and duration of the requested closures in consultation with Secret Service and the DC Metropolitan Police Department.

This public use limitation is intended to ensure necessary security and safety for the adjacent White House complex, its occupants, and the public. They have neither the effect nor intent to prevent the exercise of First Amendment rights. Indeed, this public use limitation has been upheld in Mahoney v. Norton, No.02-1715 (D.D.C. September 5, 2002), emergency motion for injunction pending appeal denied Mahoney v. Norton, No.02-5275 (D.C.Cir. September 9, 2002)(per curiam). Further, activities in Lafayette Park and the White House sidewalk that do not require a permit--such as a demonstration involving 25 persons or fewer--are not affected.

Please be advised, however, that these areas may be subject to temporary emergency closure by the Secret Service without advanced notice.

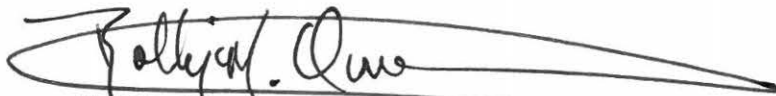
In any event, other Federal parks remain available for permit events. In that regard, pursuant to 36 C.F.R. § 7.96(g)(4)(iii)(c), we hereby propose several alternative park sites in the event your demonstration needs additional areas. Most notably the current area permitted to your applicants in Lafayette Park, which is close to both the Unite the Right demonstration you are counter-protesting and to the White House itself. Your permitted area comprises nearly half of Lafayette Park and can accommodate an additional 100 people. Your additional participants may also demonstrate in Farragut Square or McPherson Square. Indeed, these or other park areas have been successfully used by ANSWER and other groups who have been earlier denied permits due to past Secret Service's security requests.¹

As we work with you, as well as thousands of others who annually come to demonstrate on Federal parkland in Washington, D.C., it remains the NPS's goal to properly balance important First Amendment rights with the important security interests to protect the White House complex, its occupants, and to help ensure public safety.

¹ As you know, groups who were denied permits on parkland near the White House have had successful permitted demonstrations at alternative park locations. In that regard, ANSWER has used alternative park areas many times, some examples include: (1) the Washington Monument grounds on September 29-30, 2001 [01-0825]; (2) Farragut Square on June 29, 2002 [02-1348]; (3) Constitution Gardens Area 5, and other Federal parks and DC areas on October 26, 2002 [02-1634, 02-1677, 02-1731]; (4) portions of the National Mall and Washington Monument grounds, Freedom Plaza, the Lincoln Memorial reflecting pool steps area, and various DC areas on January 17-19, 2003 for a large-scale demonstration reported to have exceeded 100,000 participants [03-0435]; (5) the Washington Monument grounds and DC streets on March 15, 2003 [03-0562]; (6) the Washington Monument grounds, Constitution Gardens Area 5, Farragut and McPherson Squares, Freedom Plaza, Pershing Park, portions of the Ellipse, and DC streets on April 20, 2003 [03-0117]. In addition, Beyond Ground Zero used the Ellipse's E Street sidewalk on July 31, 2002 [02-1479] and Housing Works/Health Gap used McPherson Square on November 26, 2002 [02-1856]. More recently ANSWER has had numerous successful demonstrations in Lafayette Park.

If you would like to discuss use of any of the alternative park areas, please contact Chief Owen at (202) 245-4717. You may wish to consider contacting the District of Columbia regarding the use of other public spaces under their jurisdiction.

Sincerely,

A handwritten signature in black ink, appearing to read "Robbin Owen", written over a horizontal line.

Robbin Owen
Chief, Division of Permits Management

- Enclosures: (1) NPS Permit 18-1459
(2) U. S. Secret Service Request for Temporary Closure dated August 6, 2018
(3) NPS Lafayette Park/White House sidewalk Public Use Limitation Record of Determination dated August 8, 2018



IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
National Capital Region
1100 Ohio Drive, S.W.
Washington, D.C. 20242

PUBLIC GATHERING PERMIT

Permit: 18-1459

Date: August 9, 2018

In accordance with Park Regulations as contained in C.F.R., Title 36, Chapter 1, Section 7.96, permission is granted to conduct a public gathering to the following:

Person(s) and/or Organization(s): A.N.S.W.E.R. Coalition

Dates(s): Sunday, August 12, 2018

To: Sunday, August 12, 2018

Time: Starting: 8:00 am

Ending: 11:59 pm

Location(s):

Lafayette Park-a portion of the northern half; Farragut Square; and McPherson Park

Purpose: Stand against racism and white supremacy

Anticipated Number or Participants: 1500 in Lafayette Park and 500 each in Farragut Square and McPherson Square

Person(s) in Charge: Yasmin Mrabet

Address(es): 617 Florida Ave., NW., Washington, District of Columbia 20001

Phone Number: (202) (b) (6)

This permit is granted subject to the following conditions:

1. Permittee and all participants authorized therein must comply with all of the conditions of this permit and with all reasonable directions of the United States Park Police.
2. All sidewalks, walkways, and roadways must remain unobstructed to allow for the reasonable use of these areas by pedestrians, vehicles and other park visitors.

PERMITTEE IS RESPONSIBLE FOR READING AND ADHERING TO ATTACHED
ADDITIONAL CONDITIONS.

ADDITIONAL CONDITIONS

PERMIT #18-1459

A.N.S.W.E.R. COALITION

LAFAYETTE PARK, NORTH PORTION-OUTSIDE OF ANY FENCED AREAS (STAGE IN THE NORTHEAST QUADRANT-OUTSIDE OF TREED CANOPY AREA), MCPHERSON SQUARE AND FARRAGUT SQUARE

AUGUST 12, 2018

PLEASE NOTE: DC United Against Hate has agreed to join with the A.N.S.W.E.R. Coalition to conduct this demonstration. A.N.S.W.E.R. Coalition has agreed to supply all logistical equipment in support of this demonstration. Both groups will provide marshalls.

SPECIFIC CONDITIONS FOR LAFAYETTE PARK, NORTH PORTION (SEE ATTACHED MAP)

A. This permit authorizes the use of a portion of the northern half of Lafayette Park, outside of any fenced areas. Participants (1,500) will use the permitted area from 8:00 am – 11:59 pm on Sunday, August 12, 2018 for a demonstration, “Stand Against FACISM and White Supremacy” through speeches and music.

On Site Coordinator(s)

A.N.S.W.E.R. Coalition: Yasmina Mrabet, 202-(b) (6)

DC United Against Hate: Mike Stark, 202-(b) (6)

In addition, permittee states the following will be set up in the northeast quadrant of Lafayette Park, outside of any treed canopy area:

Authorization is granted for a speaker’s platform to include:

- One (1) 12’x12’x’x4’ (stage with steps attached). All must be OSHA approved (platform/stage) with attached set of stairs and guard rails. Items placed on the stage include:
 - Three (3) microphones on mic stands
 - Podium
 - Three (3) chairs
 - One (1) case of water
 - One (1) donation box
 - Two (2) battery powered half mile hailers with four (4) speakers on stands

Please note ONLY the front of the stage can be covered with skirting or banner

Platform must be at least 18 inches off the ground and three of four sides must be kept open for viewing at all times for security purposes. Coordination for any set up and stage placement must be through Ms. Amy Dailey, Presidents Park at 202-208-1631. .

In Lafayette Park, tables and chairs are only permitted on the stage. In addition, water bottles from cases of water placed on the ground in not permitted in Lafayette Park, unless the cases of water are placed on the stage.

Any cables must be covered at all times with matting or in a cable trough. In addition, media outlets can only use hand held and/or shoulder mounted equipment, because tripods are prohibited from being placed on the ground.

In the event power is not available, one (1) hand carted generator may be used and must be placed on the stage. The refueling of the generator and the storage of fuels on park land is strictly prohibited.

***Note: Due to the possibility of Presidential movements, and Head of State visits, permitted activity may be temporarily moved and/or suspended.**

Permittee must contact Metropolitan Police Department for use of their jurisdiction of H Street for unloading and loading of equipment.

Time Line:

- Security Sweep for all structures: 8:00 am
- Set up 9:00 am – 12:30 pm
- Rally: 1:00 pm – 8:00 pm
- Tear Down: 9:00 pm
- Park Clear: 11:59 pm

B. When one hundred (100) or more persons are participating in a demonstration in the Park, a temporary speaker's platform as is reasonably required to serve the demonstration participants is allowed as long as such platform is being erected, dismantled or used, provided that only one speaker's platform is allowed per demonstrating group, and provided further that such speaker's platform is authorized by a permit issued pursuant to paragraph (g) of 36CFR §7.96. (Not authorized to use a speaker's platform nor stand-alone sound system on stands)

C. Within Lafayette Park, but for the stage referenced in the immediate paragraph above, only hand carried structures area permitted in the Park. The term "structure" includes props and displays, such as coffins, crates, crosses, theaters, cages, and statues; furniture and furnishings, such as desks, chairs, tables, bookcases, cabinets, platforms, podiums, and lecterns, shelters, such as tents, boxes and other enclosures; wagons and carts; and all other similar types of property which might tend to harm park resources including aesthetic interests. **Tripods, tables, chairs, stand-alone portable sound system, and stands are not allowed to be set on the ground. Only permitted structures area allowed in the Park.**

D. Special attention is drawn to the item #7, in paragraph A of this permit concerning sound amplification. Noise level must not intrude upon surrounding areas and upon others in the park not involved with the event. Sound amplification cannot be directed towards the White House at any given time nor can it be directed towards another permittee.

E. The use of hand-carried signs are allowed regardless of size.

F. Signs that are not being hand-carried and that are no larger than four (4) feet in length, four (4) feet in width and one-quarter (1/4) inch in thickness (exclusive of braces that are reasonably required to meet support and safety requirements and that are not used so as to form an enclosure of two (2) or more sides) may be used in Lafayette Park, provided that no individual may have more than two (2) such signs in the park at any one time, and provided further that such signs must be attended at all times (the term "attended" is defined as an individual being within three (3) feet of his or her sign(s)), and provided further that such signs may not be elevated in a manner so as to exceed a height of six (6) feet above the ground at their highest point, may not be arranged or combined in a manner so as to exceed the size limitations set forth in this paragraph, and may not be arranged in such a fashion as to form an enclosure of two (2) or more sides.

G. Balloons are prohibited on park land.

H. A copy of this permit must be made available upon request and permittee must adhere to any and all instructions issued by the United States Park Police and/or by an official representative of President's Park.

I. All vehicles must park in designated, available public spaces.

J. Resource Protection:

Pursuant to 36 CFR 7.96(g)(5)(xii) the alteration, damage, or removal of park resources or facilities is prohibited. No item, including signs or banners, may be attached to park trees, plantings, benches, or other park property.

K. Upon arrival onsite, person in charge is responsible for checking with Park Ranger and/or U. S. Park Police personnel onsite for coordination and/or additional instructions concerning this permit.

L. Camping is prohibited. Camping is defined as the use of the park land for living accommodation purposes such as sleeping activities, or making preparation to sleep (including the laying down or bedding for the purpose of sleeping), or storing personal belongings, or making any fire, or using any tents or shelter or other structure or vehicle for sleeping or doing any digging or earth breaking or carrying on cooking activities. The above-listed activities constitute camping when it reasonably appears, in light of all the circumstances that the participants, in conducting these activities, are in fact using the area as a living accommodation regardless of the intent of the participants or the nature of any other activities in which they may also be engaging.

M. Demonstration Marshals:

Each of your demonstration marshals (30) for A.N.S.W.E.R. Coalition will be identified by black armbands and DC United Against Hate by orange and lime vests and will help maintain order among your participants. Demonstration marshals should be aware of their responsibilities and locations(s) where they will be stationed and have received from demonstration organizers adequate training and instructions. Demonstration marshals should be aware of the time and location of the assembly and any march routes, the location of any first aid stations, water, and

toilets, be knowledgeable of the NPS permit conditions, be able to communicate with law enforcement, as well as what to do if they think they observe any problems. While demonstration marshals do not act as police, they do help maintain order among participants, explain to nonparticipants that a particular area may be under permit, and be able to alert their supervisor and the United States Park Police in the event that they observe a problem on Federal parkland.

N. Solicitation of Donations

Consistent with your application request, this permit authorizes the in-person solicitation for money if it occurs within the confines of the permit area as part of your ongoing activity. All currency must be maintained and stored out of public view at all times. Exacting a payment or requesting a donation in exchange for merchandise constitutes a sale and is not allowed unless it comports with the NPS sales regulation found at 36 CFR 7.96 (k).

All cash donations must be placed into non see through covered container where hands cannot penetrate. Container must be clearly marked "DONATIONS" and only be placed on the stage. "Passing the Hat" is strictly prohibited.

O. Permittee agrees to be responsible for collecting all generated trash with the use of clear plastic bags. Trash must be removed from the park and cannot be left stacked in the park.

N. Permittee is responsible for coordinating all logistics with Amy Dailey, President's Park at 202-208-1631, prior to event.

P. First Aid:

Permittee will be responsible for providing first aid service on-site at each permitted location. It is recommended that you consider the guidelines of the District of Columbia Department of Emergency Medical Services, who recommends for events less than 2,000 participants, permittee may rely on 911 response. Contact the District's Special Events Coordinator at 202-673-3310 for further information.

Q. Protection of the Public & General Welfare:

Event fence, chain link fence and/or bike rack may be erected by the NPS and/or the United States Park Police, to contain the event areas and provide necessary resource protection, security and buffer zones. The United States Park Police may engage in intermittent pedestrian control and/or reconfigure barricades/fence lines, to provide for public safety and free conduct of First Amendment activity in Lafayette Park.

Intentional or reckless harassment of park visitors with physical conduct is prohibited.

Lighting or maintaining a fire, or use of open-flame decorative devices, candles, oil lamps, torches and gas lights are not authorized by this permit.

Using, possessing, storing, or transporting explosives, blasting agents, explosive materials, firework and firecrackers is prohibited.

During the conduct of a demonstration, a permit may be revoked by the ranking U. S. Park Police supervisory official in charge if continuation of the event presents a clear and present danger to the public safety, good order or health or for any violation of applicable law or regulation.

Specific Conditions for McPherson Square and Farragut Square

A. This permit authorizes the use of McPherson and Farragut Squares for a support area in conjunction with the demonstration in Lafayette Park to “Stand Against FACISM and White Supremacy” through speeches and distribution of free literature. Permittee no set up will take place in the parks however a hand held megaphone or bull horn may be used for sound amplification. Participants will carry signs and banners.

Stated Number of Participants: 500 in each park.

Time Lines in Each Park: 10:00 am – 8:00 pm.

B. Permittee must provide all necessary equipment to conduct activity each permitted day. All equipment must be removed immediately after the conclusion of the activity on August 12, 2018. Items left in the park will be considered abandoned property and will not be the responsibility of the National Park Service. All equipment must be hand carried/hand carted to the event site. Driving or parking within the park is strictly prohibited.

C. Special attention is drawn to item #7, last page of permit, concerning sound amplification.

D. A copy of this permit must be carried by the permittee while operating under the authority granted.

E. Filming/Media:

All equipment must be portable and self contained with all stands using rubber tips or matting as a base. All cables must be covered so as not to present a tripping hazard. All equipment must be hand-carried/hand-carted to event site.

F. Activity cannot interfere with public visitation. All areas must remain open to the general public at all times. No impediment nor disruption of visitor/pedestrian traffic flow allowed.

G. Public parking is allowed on a space available bases on city streets surrounding the park. Driving onto the sidewalk or into the park is strictly prohibited.

H. Special attention is drawn to item #4, last page of permit concerning sales and solicitation of donations.

I. First Aid:

Permittee will be responsible for providing first aid service on-site at each permitted location. It is recommended that you consider the guidelines of the District of Columbia Department of Emergency Medical Services, who recommends for events less than 2,000 participants, permittee may rely on 911 response. Contact the District's Special Events Coordinator at 202-673-3310 for further information.

J. **Resource Protection:**

Pursuant to 36 CFR 7.96(g)(5)(xii) the alternation, damage, or removal of park resources or facilities is prohibited. No item, including signs or banners, may be attached to park trees, plantings, benches, or other park property.

K. Permittee agrees to remove all trash and debris resulting from this permitted activity immediately following the conclusion of this event each permitted day. Clear plastic bags must be used to collect generated trash.

L. **Area Accessibility:**

Participants cannot block entrance walks, ADA ramps nor entrance doors at any given time. Permittee does not have exclusive use of the area including sidewalks and roadways. No interference with the pedestrian traffic and no blocking entrances or driveways allowed. No impeding vehicular traffic permitted. All areas remain open to the general public at all times.

For sidewalks and entrances of 7 feet wide or larger, a 5 feet minimum clearance must be maintained at all times to allow for two wheelchairs to pass each other. And for sidewalks and entrances of 5-6 feet wide, a 4 feet minimum width must be maintained at all times for wheelchair accessibility.

M. The permittee will be responsible for any injuries and/or damages to government property occurring as a result of this permitted activity.

N. Glass beverage containers and balloons are prohibited on parkland.

O. **Solicitation of Donations**

Consistent with your application request, this permit authorizes the in-person solicitation for money if it occurs within the confines of the permit area as part of your ongoing activity. All currency must be maintained and stored out of public view at all times. Exacting a payment or requesting a donation in exchange for merchandise constitutes a sale and is not allowed unless it comports with the NPS sales regulation found at 36 CFR 7.96 (k).

All cash donations must be placed into non see through covered container where hands cannot penetrate. Container must be clearly marked "DONATIONS" and only be placed on the stage. "Passing the Hat" is strictly prohibited.

P. Any further coordination regarding the permitted activity on parkland should continue to be through Sgt. Erich Koehler, U. S. Park Police, 202-610-7092 and Robbin Owen, Division Permits Management at 202-245-4715.

If the permittee decides to cancel or substantially modify its event, the permittee must immediately advise both the United States Park Police Special Events Sergeant at (202) 610-7092 and the Division of Permits Management at (202) 245-4715.

Permitted Activities

Lafayette Park & White House Sidewalk

Sunday, August 12, 2012

National Capital Region
National Park Service
U.S. Department of the Interior

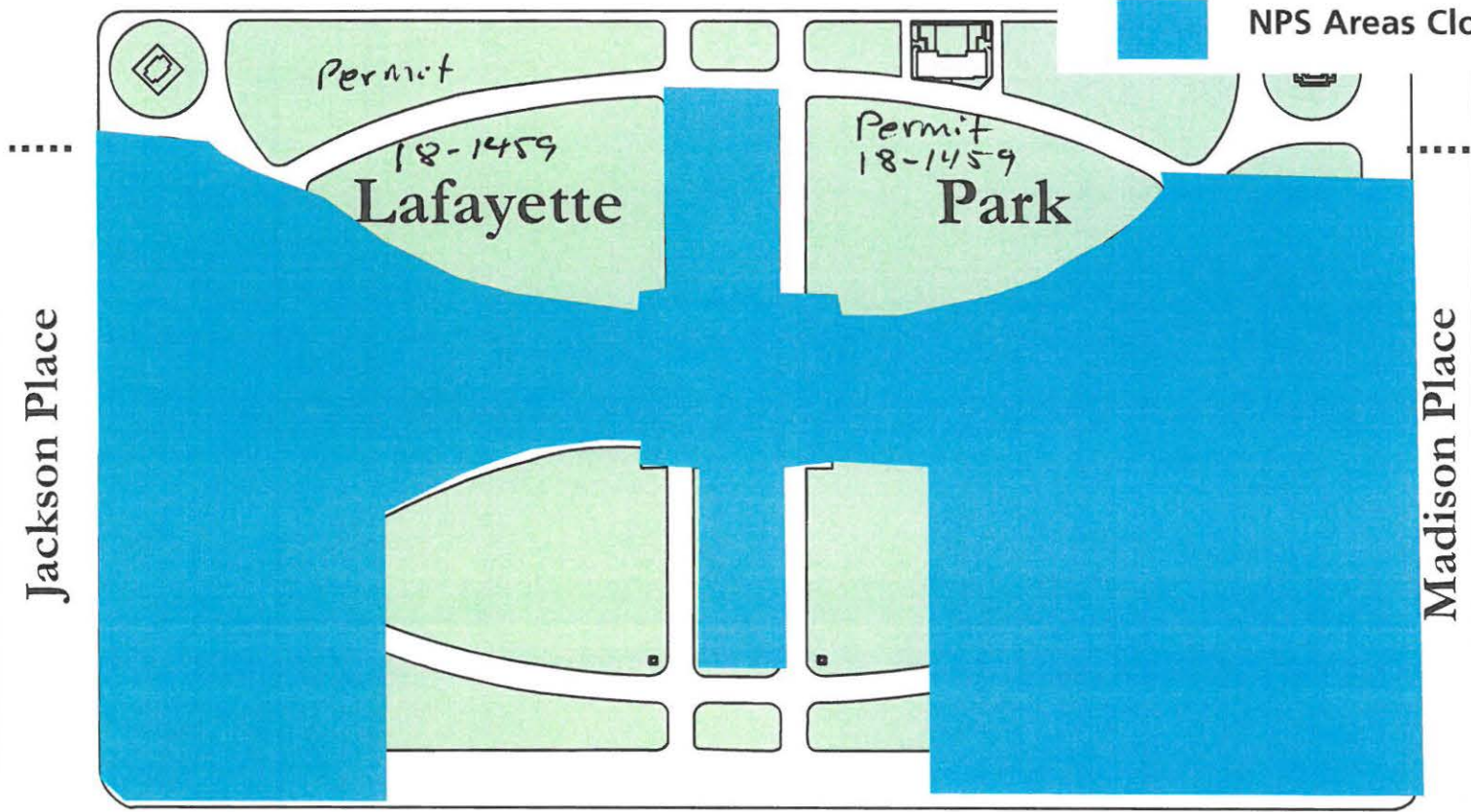


H Street

KEY



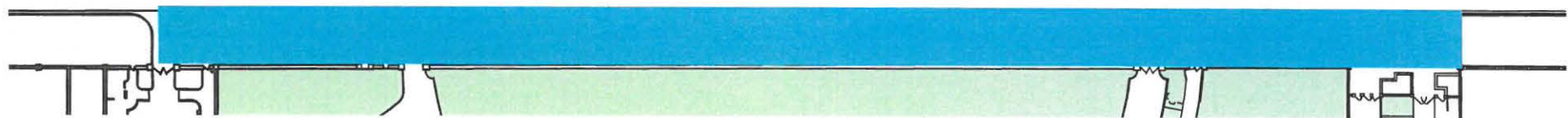
NPS Areas Closed

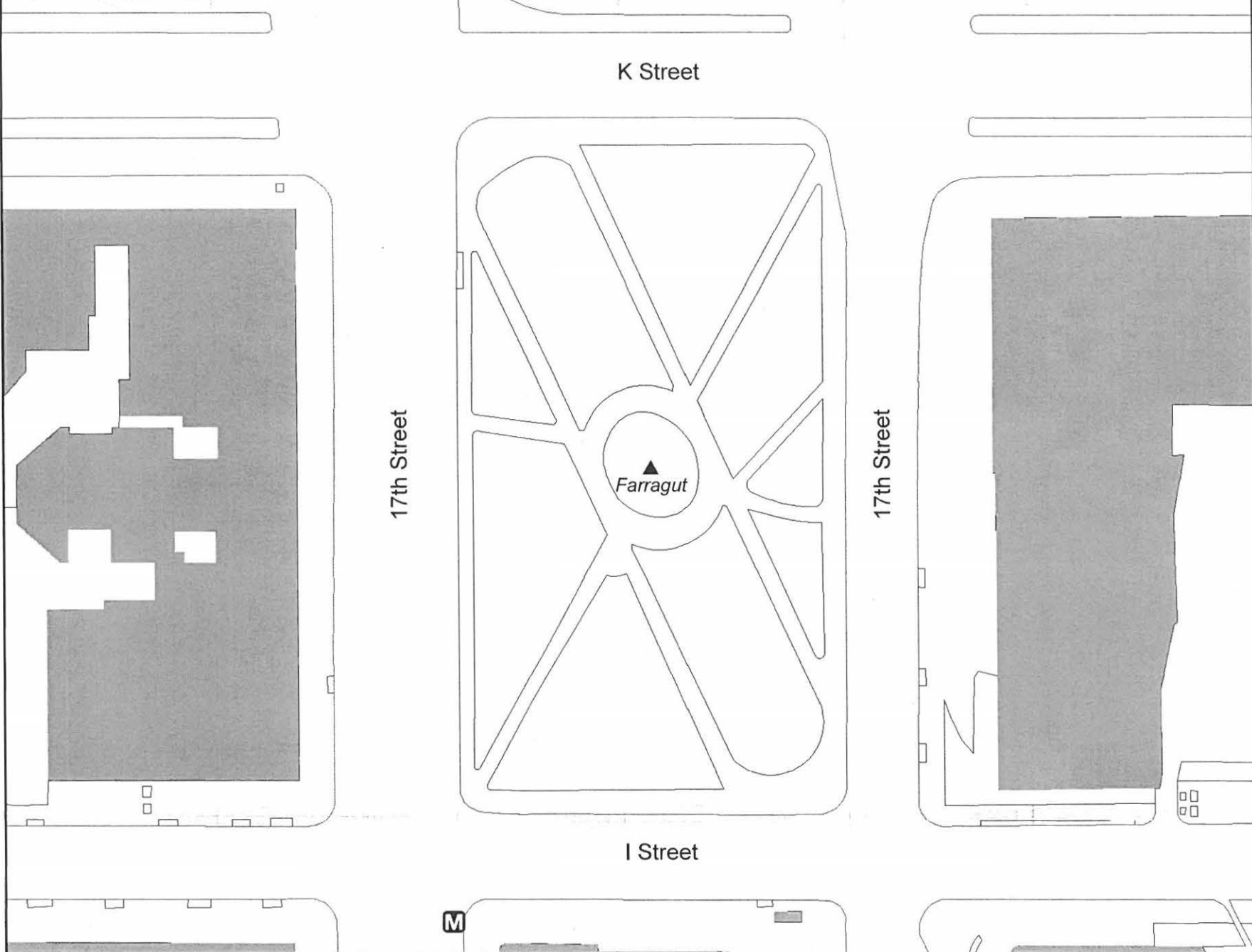


Jackson Place

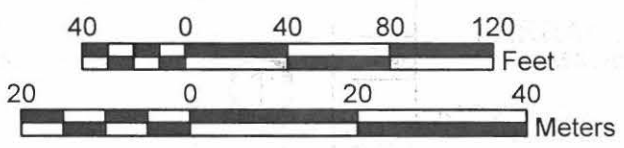
Madison Place

Pennsylvania Avenue





-  Metrorail Entrance
-  Statue
-  Visitor Information
-  Restrooms
-  Railroad
-  Building
-  Water



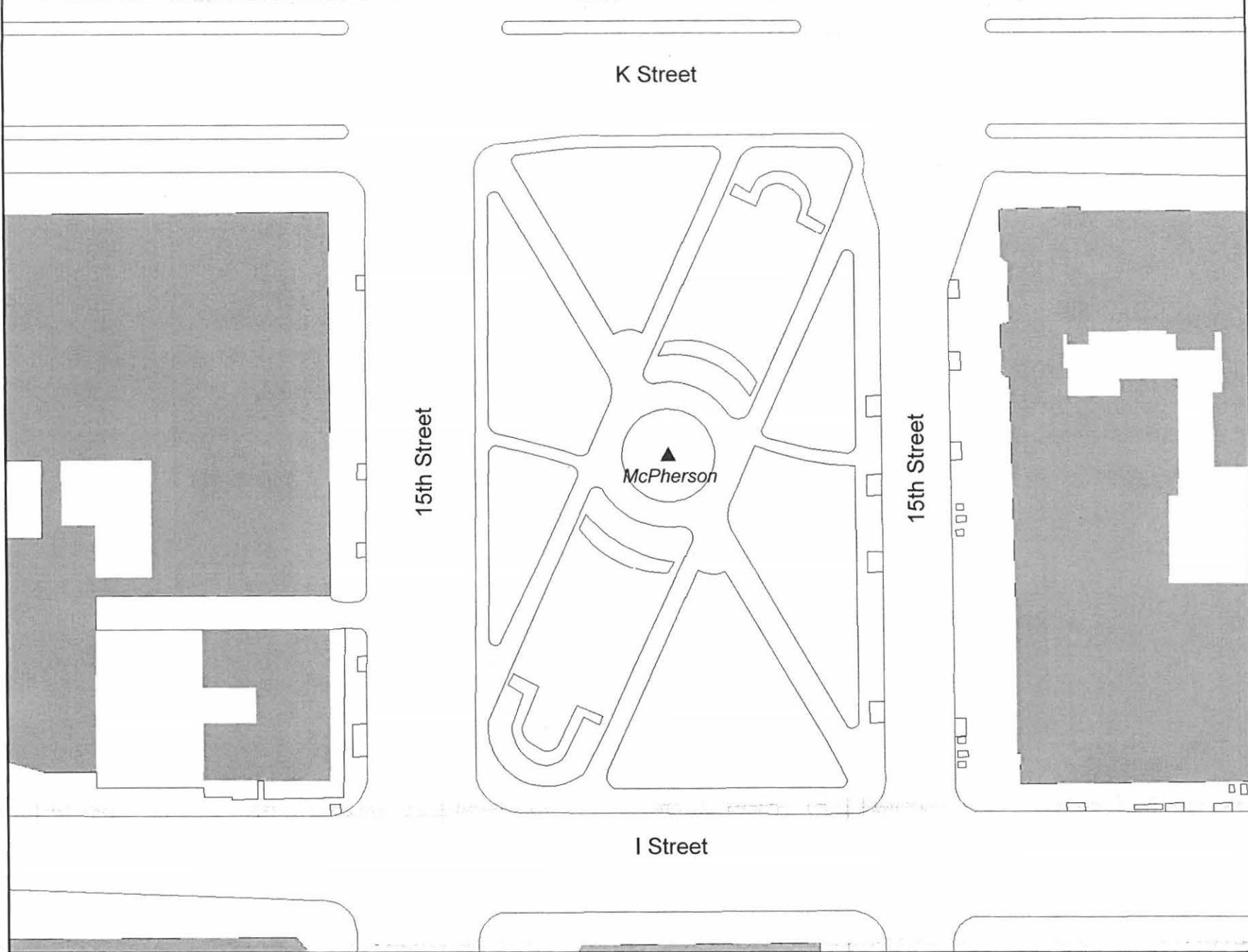
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FARRAGUT SQUARE
RESERVATION 12








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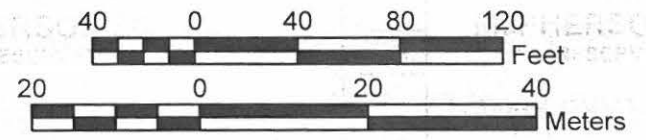
DATE: 4/4/2002

NATIONAL CAPITAL PARKS - CENTRAL
 NATIONAL PARK SERVICE
 WASHINGTON, DC





-  Metrorail Entrance
-  Statue
-  Visitor Information
-  Restrooms
-  Railroad
-  Building
-  Water

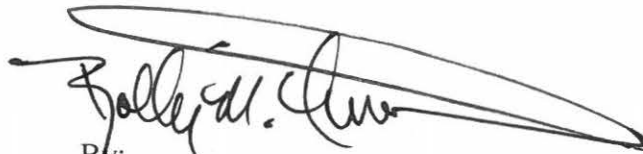


TITLE OF SHEET
McPHERSON SQUARE
 RESERVATION 11
 NATIONAL CAPITAL PARKS - CENTRAL
 NATIONAL PARK SERVICE
 WASHINGTON, DC

DRAWN: BC
 DATE: 4/4/2002

3. All laws, rules and regulations applicable to the area covered by this permit remain in effect.
4. No fee may be collected, donation solicited, or commercial activity conducted.
5. The area should be left in substantially the same condition as it was prior to the activities authorized herein, and all litter shall be placed in the trash containers provided.
6. This permit is applicable only for the use of the area designated above, and during the times designated above, or in any area as may hereafter be designated by the United States Park Police.
7. The use of sound amplification equipment, other than hand-portable sound amplification equipment to be used for crowd control purposes only, is prohibited on the White House Sidewalk (South 1600 Pennsylvania Avenue, NW., sidewalk between East Executive Avenue and West Executive Avenue). All sound amplification equipment shall be limited so that it will not unreasonably disturb nonparticipating persons in, or in the vicinity of, the area.
8. The National Park Service reserves the right to immediately revoke this permit at any time should it reasonably appear that the public gathering presents a clear and present danger to the public safety, good order or health, or if any conditions of this permit are violated.

Lisa Mendelson
Acting Regional Director
National Capital Region

A handwritten signature in black ink, appearing to read "Robbin M. Owen", with a long, sweeping horizontal stroke extending to the right.

By:
Robbin M. Owen
Chief, Division of Permits Management
National Mall & Memorial Parks



U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

Washington, D.C. 20223

August 6, 2018

Peter May
Acting Regional Director
National Capital Region
National Park Service
1100 Ohio Drive, SW
Washington, DC 20242

Dear Mr. May:

Please be advised that due to the unique security requirements of the White House Complex, the United States Secret Service (Secret Service) is seeking to temporarily restrict access to sidewalks that are under the jurisdiction of the National Park Service during the period of permitted activity in Lafayette Park on August 12, 2018.

Specifically, the Secret Service is seeking a temporary closure to the public of the entire south sidewalk of Pennsylvania Ave, N.W. from 15th Street, N.W. to 17th Street, N.W. This sidewalk is already currently closed in part by construction and in response to the security requirements of the Secret Service conveyed in a previous, separate request to National Park Service. At this juncture, we are asking that the sidewalk to be closed to the public in its entirety during the permitted activities on August 12, 2018. The area we are requesting to be temporarily restricted is noted on the attached map.

This temporary closure is requested to remain in place for the duration of the activities that will be permitted in Lafayette Park on August 12, 2018, specifically those associated with Unite the Right II and DC Against Hate. We are further requesting that this restriction be put in place sufficiently in advance of these permitted activities to allow Secret Service personnel to secure the area, and that the restrictions be lifted after their conclusion. We would be coordinating this closure with the closure of Pennsylvania Avenue from 15th Street, N.W. to 17th Street, N.W. that we expect will be implemented by the Metropolitan Police Department on this date. It is anticipated that this public restriction would be required from approximately 10 a.m. to approximately 9 p.m.

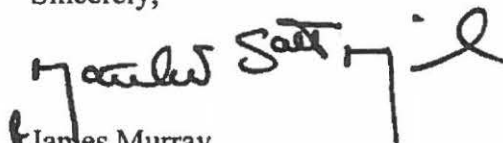
We are requesting this closure in conjunction with the robust security measures and closures that we expect will be implemented by the United States Park Police and Metropolitan Police Departments on August 12th. If events unfold such that the ranking law enforcement officers on the scene determine the closure of the sidewalk can be safely lifted at an earlier time, then the Secret Service and United States Park Police will coordinate to reopen the area sooner.

We are aware of the violence that occurred in Charlottesville, Virginia on August 11, 2017, between Unite the Right and counter-protesters. Several of the groups that have expressed interest in the counter-protest in Lafayette Park on August 12, 2018, are known to have engaged in violent and destructive activity during the 2017 Presidential Inauguration here in Washington, DC. We also know from our investigative and protective intelligence sources that violence can commonly occur between highly charged groups of protesters and counter-protesters, such as that which occurred in Portland, Oregon this past weekend. Given this history of violence, and the possibility that it may recur in proximity to the White House, this temporary closure is necessary to provide a complete security perimeter with sufficient stand-off distance to protect the White House Complex as well as to permit the Secret Service to perform security sweeps of the area, facilitate motorcade arrivals and departures, and ensure ingress and egress for emergency and law enforcement vehicles on Pennsylvania Avenue. The closure of this area would facilitate both the security of the White House Complex and the safety of protestors, law enforcement officers, and emergency personnel while the permitted activities are ongoing. The requested closure would still provide ample ability to protest in Lafayette Park and in other areas around the White House during the short time period it would be in effect.

In light of the specific concerns as described above, we have determined that there are no less restrictive measures that would adequately provide for the safety of the public and the security of the White House Complex. Please be advised that exact times are subject to change based upon the evolving security planning for the events on August 12, 2018; however, the Secret Service will notify you as soon as practicable of any changes in date and times or if this restriction is no longer necessary.

We appreciate your assistance and understanding in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "James Murray". The signature is stylized and includes a large flourish at the end.

James Murray
Assistant Director
Office of Protective Operations

Enclosure



United States Department of the Interior

NATIONAL PARK SERVICE
Office of the National Park Service Liaison to the White House
1849 C Street N.W. ; Room #1426
Washington, D.C. 20240

IN REPLY REFER TO:

A8219

August 9, 2018

The National Park Service is closing certain parkland near the White House to provide security and ensure public safety on Sunday, August 12, 2018. Pursuant to 36 C.F.R. § 1.5, the National Park Service is imposing a temporary closure of portions of Lafayette Park and entirety of the White House Sidewalk on Sunday, August 12, 2018 as delineated in the attached map and as further delineated by fencing. Specifically, limited portions of the (1) Southeast quadrant, (2) Northeast quadrant, (3) Southwest quadrant, (4) Northwest quadrant, and (5) center panel of Lafayette Park will be closed to the public. Also, the White House North Fence Line, including the White House Sidewalk, between East Executive Avenue N.W. and West Executive Avenue N.W., will be closed to the public. In addition, areas under the jurisdiction of the District of Columbia's Metropolitan Police Department, including Pennsylvania Avenue, NW, and its South sidewalks beginning at 15th Street and Pennsylvania Avenue, NW to 17th Street and Pennsylvania Avenue, N.W. will be closed to the public. These areas are anticipated to be closed on Sunday, August 12, 2018 from approximately 10:00 a.m. to approximately 10:00 p.m. The closed area will reopen after a law enforcement determination that the area can be made available to the public. Violation is prohibited.

The closure comes at the request of the United States Park Police in cooperation with the District of Columbia Metropolitan Police Department and the United States Secret Service to provide necessary security for the duration of demonstrations, which are currently scheduled for Sunday, August 12, 2018, from approximately 10:00 AM to 9:00 PM. These closures are to facilitate law enforcement and emergency medical service response for a number of permitted events in Lafayette Park. Law enforcement can use this closed area for both logistical support and to operate freely to de-escalate any possible situations arising between opposing permitted groups.

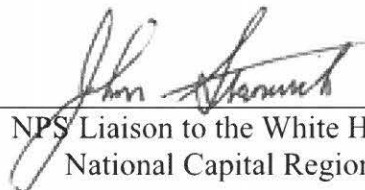
If possible, based on attendance and actions of participants at the permitted events, the US Park Police will endeavor to reduce the size, scope and duration of these requested closures in consultation with United States Secret Service and the District of Columbia's Metropolitan Police Department. If events unfold such that the ranking law enforcement officers on the scene determine the closure of the sidewalk, or other areas can be safely lifted at an earlier time, the United States Park Police will coordinate with the District of Columbia's Metropolitan Police Department to reopen the area sooner.

Lesser restrictive measures will not suffice due to the Unified Command's security-based assessment that these park areas need to be kept clear. A copy of the United States Park Police correspondence and Secret Service's letter and map both dated August 6, 2018 are attached and incorporated by reference.

This temporary and partial closure is not of a nature, magnitude and duration that will result in a “significant alteration in the public use pattern”. Further, the closure will not adversely affect the park’s natural, aesthetic or cultural values and is not of a highly controversial nature given the ongoing and evolving security measures being undertaken nationwide and in Washington, D.C. following the terrorist attacks of September 11, 2001 and subsequent public safety and security alerts.

Accordingly, the National Park Service determines publication as rulemaking in the Federal Register is unwarranted under 36 C.F.R. § 1.5(c). This is consistent with hundreds of earlier partial and temporary park closures or public use limitations, the legal opinion of the Office of the Solicitor, and judicial adjudications. Mahoney v. Norton, No. 02-1715 (D.D.C. August 29, 2002), plaintiff’s emergency motion for injunction pending appeal denied Mahoney v. Norton, No. 02-5275 (D.C. Cir. September 9, 2002) (per curiam); Picciotto v. United States, No. 99-2113 (D.D.C. August 6, 1999); Picciotto v. United States, No. 94-1935 (D.D.C. September 9, 1994); Picciotto v. Lujan, No. 90-1261 (D.D.C. May 30, 1990); Picciotto v. Hodel, No. 87-3290 (D.D.C. January 26, 1988); Spiegel v. Babbitt, 855 F.Supp. 402 (D.D.C. 1994), aff’d in part w/o op. 56 F.3d 1531 (D.C. Cir. 1995), reported in full, 1995 US App. Lexis 15200 (D.C. Cir. May 31, 1995).

Pursuant to 36 C.F.R. § 1.7, notice of this temporary and partial closure will be made through media advisories, maps, and by posting at conspicuous locations in the affected park areas. Finally, pursuant to 36 C.F.R. § 1.5(c), this determination is available to the public upon request.



NPS Liaison to the White House
National Capital Region

Attachments

Permitted Activities

Lafayette Park & White House Sidewalk

Sunday, August 12, 2012

National Capital Region
National Park Service
U.S. Department of the Interior

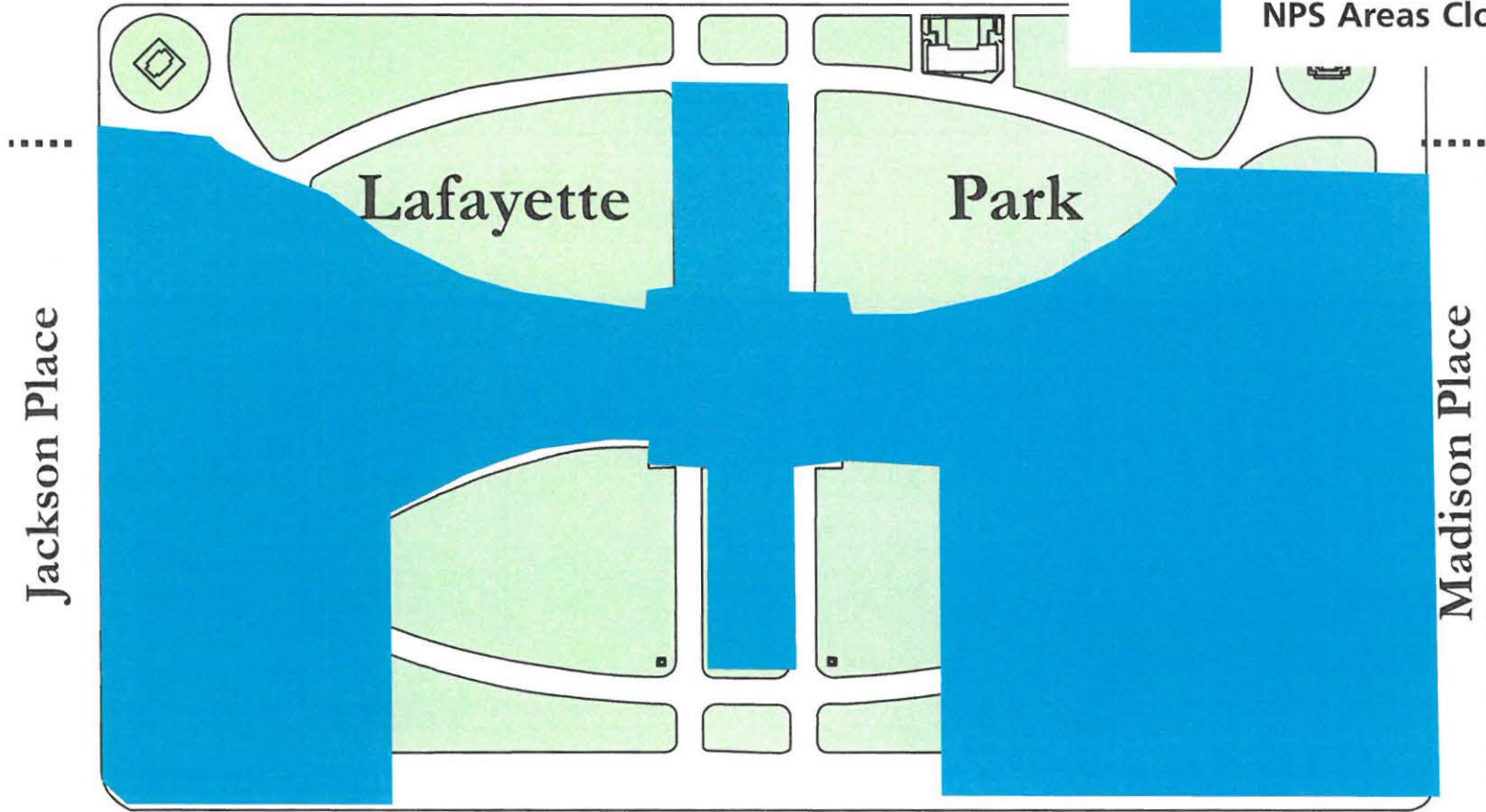


H Street

KEY



NPS Areas Closed



Jackson Place

Madison Place

Pennsylvania Avenue

