

**National Park Service
U.S. Department of the Interior**

**African Burial Ground
National Monument**

290 Broadway, First Floor
New York, New York, 10007

Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other Restrictions
Imposed Under Discretionary Authority.

212-637-2019 phone
212-227-2026 fax
www.nps.gov/afbg

Approved:



Date: 5/19/22

Shirley McKinney, Superintendent

A. INTRODUCTION

1. Superintendent's Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully understand the regulations governing the use and enjoyment of all the areas of the national Park

System.

A copy of Title 36, CFR, can be purchased from the U.S. Government Printing Office at:

Superintendent of Documents
P.O. Box 371954
Pittsburgh, PA 15250-7954

The CFR is also available on the Internet at:

http://www.access.gpo.gov/nara/cfr/waisidx_05/36cfrv1_05.html

2. Laws and Policies Allowing the Superintendent to Develop This Compendium

The National Park Service (NPS) is granted broad statutory authority under 16 United States Code (U.S.C.) Section 1 *et. seq.* (Organic Act of 1916, as amended) to "...regulate the use of the Federal areas known as national parks, monuments, and reservations...by such means and measures as conform to the fundamental purposes of the said parks...which purpose is to conserve the scenery and the natural and historic objects and the wildlife therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment for future generations" (16 U.S.C. Section 1). In addition, the NPS Organic Act allows the NPS, through the Secretary of the Interior, to "make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks, monuments, and reservations under the jurisdiction of the National Park Service" (16 U.S.C. Section 3).

In 1970, Congress amended the NPS Organic Act to clarify its intentions as to the overall mission of the NPS. Through the General Authorities Act of 1970 (16 U.S.C. Sections 1a1-1a8), Congress brought all areas administered by the NPS into one National Park System and directed the NPS to manage all areas under its administration consistent with the Organic Act of 1916.

In 1978, Congress amended the General Authorities Act of 1970 and reasserted System-wide the high standard of protection defined in the original Organic Act by stating "Congress further reaffirms, declares, and directs that the promotion and regulation of the various areas of the National Park System, as defined by Section 1 of this Title, shall be consistent with and founded in the purpose established by Section 1 of this Title, to the common benefit of all people of the United States."

16 U.S.C. Section 1c defines the National Park System as "...any areas of land and water now or hereafter administered by the Secretary of the Interior through the National Park Service for park, monument, historic, parkway, recreational, or other purposes."

In addition to the above statutory authority, the Superintendent is guided by established NPS policy as found in the *NPS Management Policies* (2006). The Superintendent is also guided by more specific policies promulgated by the Director, National Park Service, in the form of Director's Orders. As stated in the Management Policies, the primary responsibility of the NPS is to protect and preserve our national natural and cultural resources while providing for the enjoyment of these resources by visitor and other users, as long as use does not impair specific park resources or overall visitor experience. The appropriateness of any particular visitor use or recreational experience is resource-based and will vary from park to park; therefore, a use or activity that is appropriate in one park area may not be appropriate in another. The Superintendent is directed to analyze overall park use and determine if any particular use is appropriate. Where conflict arises between use and resource protection, where the Superintendent has a reasonable basis to believe a resource is or would become impaired, than that Superintendent is obliged to place limitations on public use.

3. Consistency of This Compendium with Applicable Federal Law and Requirements

The Superintendent's Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such, an Environmental Assessment will not be prepared.

4. Development of the Requirements of the Superintendent's Compendium

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

8. Comments on the Compendium

The Compendium is reviewed annually and revised as necessary. The park welcomes

comments about its program and activities at any time.

9. Effective Date of the Superintendent Compendium

The Superintendent's Compendium is effective on the approval date listed on the first page of this document, and remains in effect until revised for a period up to one year.

10. Additional Information

Some of the terms used in this Compendium may have specific meaning defined in 36 CFR 1.4 *Definitions*.

11. Availability

Copies of the Compendium are available at 290 Broadway New York, New York 10007. It may also be found at www.nps.gov/afbg.

B. SUPERINTENDENT'S COMPENDIUM

In accordance with regulations and the delegated authority provided in Title 36, Code of Federal Regulations ("36 CFR"), Chapter 1, Parts 1-7, authorized by Title 16 United States Code, Section 3, the following provisions apply to all lands and waters administered by the National Park Service, within the boundaries of African Burial Ground National Monument. Unless otherwise stated, these regulatory provisions apply in addition to the requirements contained in 36 CFR, Chapter 1, Parts 1-7.

Written determinations, which explain the reasoning behind the Superintendent's use of discretionary authority, as required by Section 1.5(c), appear in this document identified by italicized print.

I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

Visiting Hours:

- The National Monument is open as scheduled and posted at the building and/or through press releases and the park public website www.nps.gov/afbg
- The African Burial Ground Visitor Center is open Tuesday through Saturday from 10:00 a.m. to 4:00 p.m. The Visitor Center is closed Sunday and Monday.
- African Burial Ground National Monument outdoor grounds open (weather permitting):
 - from 10:00 a.m. to 4:00 p.m. Tuesday through Saturday.
 - The African Burial Ground National Monument outdoor grounds are closed (except for special events) Sunday through Saturday, from November through March.
- The site will be open on the following designated holidays Martin Luther King Jr. Birthday, Presidents Day, Memorial Day, Juneteenth National Independence Day, Veterans Day, and Labor Day.
- The Visitor Center and Monument grounds are also closed on the following designated federal holiday(s): Independence Day, Thanksgiving Day, Columbus Day, Christmas Day and New Year's Day.
- The park superintendent may close park facilities due to severe weather or emergencies on an as needed basis. These closures will be posted at the site and/or on the public park website, www.nps.gov/afbg

These visiting hours were determined to be in the best interests of the park and are necessary for the

proper management of the park. All portions of the park will be closed when it is necessary to protect the public from unsafe conditions or to protect the park resources from irreversible damage.

Public Use Limits:

- No parcel, container, package, bundle or other property shall be placed or stored on or along any park fence, hand railing, structure or barrier.
- Personal property larger than 22 inches by 14 inches by 9 inches is prohibited in the Park area. This restriction is based on the generally accepted airline carry-on standards.
- Items, including signs and pictures, cannot be attached to or otherwise left on park structures, including trees, except by permit. See also 36 CFR § 2.1.
- No signs or placards shall be permitted in the park area except those made of cardboard, poster board, plastic or cloth having dimensions no greater than three feet in width, four feet in length and one quarter inch in thickness. No supports shall be permitted for signs or placards.
- No signs or placards shall be attached, placed upon or leaned against the buildings, flagpole railings or the Monument.
- No parcel, container, package, bundle or other property shall be placed or stored in or on the building and Monument along the railings, or any temporary barriers.
- Park quiet hours are established as between 8:00 p.m. - 9:00 a.m.
- Media players, including radios, CD players, MP3 players, televisions, and computers, may only be used with headphones.
- Segway's or similar motorized devices cannot be used in the park, except by individuals with documented disabilities related to mobility.
- Flowers (no more than two flowers per person) may be left on the site, and only at the re-interment area within the outdoor grounds.
- The pouring of "libations" of any kind within the Monument grounds requires a permit in advance.
- Bicycles and other items are prohibited from being attached to the fence and any other objects within the NPS property.
- Unmanned Aircrafts

These conditions have been established to protect park resources, ensure visitor safety, and promote the peaceful enjoyment of the park which is located in a congested, heavily trafficked, urban setting. Additionally, these conditions are designed to achieve the park's objective of commemorating the thousands of free and enslaved Africans buried at this site.

Closures:

Unmanned aircrafts: *Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of African Burial Ground National Monument is prohibited except as approved in writing by the superintendent.*

Definition: *The term "unmanned aircraft" means a device that is used or intended to be used for flight in the air without the possibility of direct human intervention from within or on the device, and the associated operational elements and components that are required for the pilot or system operator in command to operate or control the device (such as cameras, sensors, communication links.) This term includes all types of devices that meet this definition (e.g. model airplanes, quadcopters, drones) that are used for any purpose, including for recreation or commerce.*

E-Bikes: *There are no park roads, landscape, steps, landings and pedestrian walkways or parking areas open to E-Bikes use by the general public within African Burial Ground National Monument and E-Bikes use is therefore prohibited.*

Definition: *An E-Bike is a two- or three-wheeled cycle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.) that provides propulsion assistance. Use of E-Bikes after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.*

This restriction is after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.

- The building is closed between 5:00 p.m. and 8:00 a.m., except by permit. When necessary to protect park visitors from unsafe conditions or to protect park resources, all or portions of the park will be closed on a temporary basis. Signs will be posted to announce such temporary closures.
- The park is designated as closed to the following activities, for which a permit will not be issued:
- Camping - Camping is defined by 36 CFR 1.4(a) as the erecting of a tent or shelter or natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home or trailer, or mooring of a vessel for the apparent purpose of overnight occupancy
- Audio Disturbances - Quiet hours for the exterior of the building are in place from 8:00 p.m. to 9:00 a.m.
- Residing on Federal Lands
- Memorialization
- Construction of Buildings
- Scattering of cremated human remains
- Demonstrations of more than 25 people. See 36 CFR § 2.51 of this document for more information.
- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Theodore Roosevelt National Historic Site is prohibited except as approved in writing by the superintendent.
- Aircraft
- Snowmobiles
- Skating, Skateboards and similar coasting vehicles
- Use of Motor Vehicles
- Unmanned Aircrafts
- Bicycles
- E-Bikes

Carrying Capacity: Superintendents are also authorized to modify, impose, or reimpose occupancy restrictions at any level relative to normal occupancy as appropriate. Such changes should be implemented and enforced by issuing administrative orders under 36 C.F.R. § 1.5; notifying the public of the specific restrictions, limitations, closures, etc.

The following capacity limits are set as a maximum. However, lower numbers may be determined to be necessary on a case-by-case basis depending on the nature of the activity, the arrangement and size of supporting infrastructure (stage, chairs, etc.) and other factors:

Normal Operations: The number of visitors in the following indoor locations may not exceed the maximum occupancy identified for each location.

Indoor Location	Maximum Occupancy
Main Foyer in Front of Information Desk	8
Movie Theatre: Floor Area (not accounting for chairs), and # chairs bolted to ground.	36
Multi-purpose Room (floor area only)	32

Exhibit Floor Area	61
Bookstore Floor Area	19
GSA Rotunda Area (Lobby)	TBD by GSA
Outdoor Memorial	40

COVID-19 Mask Usage

When the COVID-19 Community Level is **LOW** or **MEDIUM** in the county or all the counties where the park is located based on data provided by the Centers for Disease Control and Prevention (CDC), individuals are not required to wear masks.

When the COVID-19 Community Level is **HIGH** in the county or all the counties where the park is located based on data provided by the CDC, all individuals over the age of two must wear masks, regardless of vaccination status, in all common areas and shared workspaces in buildings owned, leased, or otherwise controlled by the National Park Service, including, but not limited to, park visitor centers, restrooms, administrative offices, and gift shops

When the COVID-19 Community Level is **HIGH** in one or more, but not all, of the counties where the park is located based on data provided by the CDC, the superintendent will determine whether individuals are required to wear masks. The requirement, if any, will apply to all facilities within the park.

Masks must cover the nose and mouth and fit snugly around the nose and chin with no large gaps around the sides of the face. Masks not designed to be protective, masks with ventilation valves, and face shields do not meet the requirement.

Regardless of the COVID-19 Community Level, individuals may wear masks if they choose to do so. Where a state, local, tribal, or territorial government where the park is located imposes more protective mask-wearing requirements than those indicated by the COVID-19 Community Level, individuals must follow those more protective requirements within the park. More protective state, local, tribal, or territorial mask-wearing requirements are hereby adopted as federal requirements in all units of the National Park System located within that state, locality, area subject to a federally recognized Indian tribe's regulatory jurisdiction, or territory, regardless of a particular park's jurisdictional status.

These conditions have been established to protect park resources, ensure visitor safety, and promote the peaceful enjoyment of the park, which is located in a congested, heavily trafficked, urban setting. These restrictions and conditions have been established to allow park visitors to exercise their First Amendment rights while also protecting the safety of visitors and demonstrators and ensuring proper ingress and egress to the park. These restrictions and conditions are necessary to facilitate the safe and proper management of the park area due to space restrictions located in a congested, heavily trafficked urban setting.

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

(f) The following is a compilation of those activities for which a permit from the superintendent is required:

(b) Permit application

Permit applications for Special Park Use permits are available at the park website: www.nps.gov/afbg. The Superintendent will act upon a permit request within 10 days of receiving a complete and fully

executed application. Accordingly, permit applications must be received at least 10 days before the anticipated activity. Permit applications must be accompanied by a non-refundable application fee of \$50 except for First Amendments requests.

(e) Permit terms and conditions

Additional cost-recovery, use and monitoring fees may be charged in accordance with established policy and procedures.

- §2.12 Audio Disturbances:
 - (a)(3) Operation of any type of portable motor or engine, or device powered by a portable motor or engine in non-developed areas
 - (a)(4) Operation of a public address system in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51
- §2.17 Aircraft & Air Delivery:
 - (a)(3) Delivery or retrieval of a person or object by parachute, helicopter or other airborne means
 - (c)(1) Removal of a downed aircraft
- §2.50(a) Conduct a sports event, pageant, regatta, public spectator attraction, entertainment, ceremony, and similar events
- §2.37 Soliciting or demanding gifts, money goods or services (Pursuant to the terms and conditions of a permit issued under §2.50, §2.51 or §2.52)
- §2.51(a) Public assemblies, meetings, gatherings, demonstrations, parades and other public expressions of views
- §2.62 Memorialization:
 - Erection of monuments (Requires approval from Regional Director)
 - Scattering ashes from human cremation
- §4.11(a) Exceeding of established vehicle load, weight and size limits
- §5.1 Advertisements - (Display, posting or distribution.)
- §5.5 Operation of eating, drinking, or lodging establishments in park areas.
- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).
- §5.5 Commercial Photography/Filming:
 - Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
 - Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.
- §5.10(a) Operation of eating, drinking, or lodging establishment

The following restrictions and/or conditions are in effect for the specific uses or activities noted:

III. GENERAL REGULATIONS

(a)(5) Walking on, climbing, entering, ascending, descending, or traversing an archeological or cultural resource, monument, or statute is prohibited, except in the following areas and/or under the following conditions:

- Visitors must enter and exit the site by marked doors or at the direction of the staff

36 CFR §2.4 – WEAPONS, TRAPS, AND NETS

(a)(2)(i) Weapons, traps, or nets may only be carried, possessed or used at the following designated times and locations:

- Pursuant to 16 U.S.C. §§1a-7b (P.L. 111-24Section 512), park visitors may carry firearms in National parks, other than buildings if they are in compliance with federal, state, and local laws.
- Weapons cannot be used in the park except by authorized federal, state, or local law enforcement officers in the performance of their official duties. Pursuant to (e), Authorized Federal. State and local law enforcement officers
- Historic weapons may be carried, possessed or used by appropriate staff members and/or volunteer individuals or groups who are invited and sponsored by the Park to participate in official and regulated historic weapons living history programs.

Federal law prohibits the possession of a firearm or other dangerous weapon in this Federal facility unless specifically authorized. 18 USC 930(a) possession violations are subject to fine and/or imprisonment up to one year, while 18 USC 930(b) possession violations with intent to commit a crime are punishable by a fine and imprisonment up to five years. Federal facilities are defined as "buildings or parts thereof owned or leased by the federal government, where federal employees are regularly present for the purpose of performing their official duties." Federal facilities are marked with signs at public entrances. and include the following buildings: all Structures inside African Burial Ground National Monument and Visitor Center.

36 CFR §2.5 – RESEARCH SPECIMENS

(a) Taking plants, fish, wildlife, rocks or minerals is prohibited except in accordance with other regulations of Chapter I of 36 CFR or pursuant to the terms and conditions of a specimen collection permit.

36 CFR §2.10 – CAMPING and FOOD STORAGE

(a) Camping is allowed in the following designated sites or areas and is subject to the following established conditions:

- Camping is prohibited throughout the park as listed in §1.5 of this document

36 CFR §2.12 – AUDIO DISTURBANCES

(a)(2) Operating a power saw in developed areas is prohibited, except pursuant to the terms and conditions of a permit.

(a)(4) Operating a public address system is prohibited, except in connection with a public gathering or special event for which a permit has been issued pursuant to §2.50 or §2.51.

36 CFR §2.14 – SANITATION and REFUSE

(a)(2) The use of government refuse receptacles or facilities for dumping household, commercial or industrial refuse, brought as such from private or municipal property is allowed under the following conditions:

- African Burial Ground National Monument is a "trash free" park
- Visitors are responsible for their own trash management, collection, and removal from the park. Disposal of refuse in park restrooms is prohibited.

36 CFR §2.15 – PETS

(a)(1) Possessing pets in public buildings, public transportation vehicles, swimming beaches, and the following structures and/or areas is prohibited:

- Pets are not allowed in any part of the public building or office except for service animals
- CFR 28 part 36: A public accommodation shall not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal.
- A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of disability to the use of a harness, leash, or other tether would interfere with the service animals safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control) e.g., voice control, signals or other effective means.

(a)(3) Leaving a pet unattended and tied to an object is prohibited, except in the following areas and/or under the following conditions:

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- Pet excrement must be removed immediately from anywhere in the park

36 CFR §2.17 – AIRCRAFT and AIR DELIVERY

(a)(3) Delivering or retrieving a person or object by parachute, helicopter, or other airborne means is prohibited, except in emergencies involving public safety or serious property loss or pursuant to the terms and conditions of a permit.

(c)(1) The removal of a downed aircraft, components, or parts thereof is subject to procedures established by the Superintendent.

36 CFR §2.20 – SKATING, SKATEBOARDS and SIMILAR DEVICES

Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited, except in the following designated areas:

36 CFR §2.21 – SMOKING

(a) The following portions of the park, or all or portions of buildings, structures or facilities are closed to smoking as noted:

- Smoking is prohibited anywhere within the park building, offices, and government vehicles.

These restrictions are based on a determination that smoking must be prohibited in these structures to protect park resources, reduce the risk of fire. and protect the health of park visitors and staff

36 CFR §2.22 – PROPERTY

(a)(2) Leaving property unattended for longer than 24 hours is prohibited, except in the following locations or under the following conditions:

(b)(1) Property determined to be left unattended for any period of time may be impounded. All property must remain under the direct control of its owner at all times.

(b)(2) Unattended property that interferes with visitor safety, orderly management of the park area, or presents a threat to park resources may be impounded by the superintendent at any time. Such property will be impounded for inspection. Inspection may be destructive.

36 CFR §2.35 –ALCOHOLIC BEVERAGES and CONTROLLED SUBSTANCES

(a)(3)(i) The following public use areas, portions of public use areas, and/or public facilities within the park are closed to consumption of alcoholic beverages, and/or to the possession of a bottle, can or other receptacle containing an alcoholic beverage that is open, or has been opened, or whose seal has been broken or the contents of which have been partially removed:

- All government buildings are closed to the consumption of alcoholic beverages except by permit for special events.
- Consuming alcohol or possessing open containers of alcohol is also prohibited within 10 feet of pedestrian walkways, landscape and within 300 feet of visitor used facilities and buildings.
- These conditions are not applicable during authorized special events under permit

These closures are implemented following the determination made by the superintendent that allowing alcohol consumption and open container possession in these areas would be inappropriate. The Park's walkways, parking lots, and buildings should not be used as areas to consume or possess alcohol, rather they are for park visitors seeking to walk about and enter the Park area.

36 CFR §2.37 – NONCOMMERCIAL SOLICITING

Soliciting or demanding gifts, money, goods or services is prohibited except pursuant to the terms and conditions or a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR §2.38 – EXPLOSIVES

(a) Using, possessing, storing, or transporting explosives, blasting agents or explosive materials is prohibited, except pursuant to the terms and conditions of a permit that has been issued under §2.50, §2.51, or §2.52.

(b) Fireworks and firecrackers is prohibited, except pursuant to the terms and conditions of a permit that has been issued under §2.50, §2.51, or §2.52.

36 CFR §2.50 – SPECIAL EVENTS

(a) Sports events, pageants, regattas, public spectator attractions, entertainments, ceremonies, and similar events are allowed, provided there is a meaningful association between the park area and the events, and the observance contributes to visitor understanding of the significance of the park area, and a permit therefor has been issued by the superintendent.

36 CFR §2.51 -- DEMONSTRATIONS

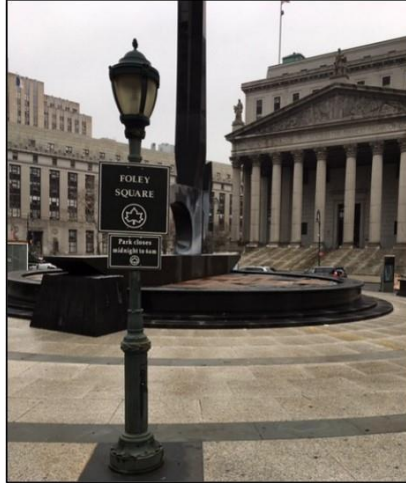
(b) Demonstrations of more than 25 people are allowed within park areas designated as available under paragraph (c)(2) when the superintendent has issued a permit for the activity.

(c)(2) The following locations are designated as available for demonstrations:

- Foley Square at Duane Street and Centre Street in Manhattan is managed by the New York City Department of Parks and Recreation, and is designated as the area available for African Burial Ground National Monument demonstrations by agreement with the National Park Service. All New York City laws, rules, regulations and procedures apply and demonstrators must contact the municipal authorities in order to conduct demonstration activities there. For demonstration, parade, and public assembly permits, please refer to the NYC Parks website: <http://www.nycgovparks.org/permits/>

See map below.

Foley Square at Duane Street and Centre Street



These conditions have been established to allow park visitors to exercise their First Amendment rights while also protecting the safety of visitors and demonstrators. These conditions are designed to ensure that the park area can be safely travelled without obstructions to walkways that could result in injury and to facilitate the proper management of the park area which is located in a congested, heavily trafficked, urban setting. These conditions are necessary to achieve the Park 's objectives of protecting the safety of visitors and the occupants of the facility which the monument shares.

36 CFR §2.52 -- SALE OR DISTRIBUTION OF PRINTED MATTER

(b) The sale or distribution of printed matter by more than 25 persons is allowed within park areas designated as available under §2.51(c)(2) (see above) when the superintendent has issued a permit.

36 CFR §2.61 – RESIDING ON FEDERAL LANDS

(a) Residing in park areas, other than on privately owned lands, is prohibited except pursuant to the terms and conditions of a permit lease or contract.

36 CFR §2.62 – MEMORIALIZATION

(a) The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without the authorization of the Director is prohibited.

(b) The scattering of human ashes from cremation is prohibited, except pursuant to the terms and conditions of a permit, or in the following areas and according to the following conditions:

36 CFR §4.30 – BICYCLES

(a) a) The use of a bicycle is prohibited from landscape, steps and pedestrian walkways as listed in §1.5 of this document.

(b) The use of E-Bikes is prohibited from landscape, steps and pedestrian walkways as listed in §1.5 of this document.

36 CFR §5.1 – ADVERTISEMENTS

Commercial notices or advertisements shall not be displayed, posted, or distributed on federally owned or controlled lands within a park area unless prior written permission has been given by the Superintendent.

36 CFR §5.3 – BUSINESS OPERATIONS

Engaging in or soliciting any business in park areas, except in accordance with the provisions of a permit, contract, or other written agreement with the United States, except as such may be specifically authorized under special regulations applicable to a park area, is prohibited.

36 CFR §5.5 – COMMERCIAL PHOTOGRAPHY

(a) Before any motion picture may be filmed or any television production or sound track may be made by any person other than bona fide newsreel or news television personnel, written permission must first be obtained from the Superintendent.

(b) Taking photographs of any vehicle or other articles of commerce or models for the purpose of commercial advertising without a written permit from the Superintendent is prohibited.

36 CFR §5.7 – CONSTRUCTION OF BUILDINGS OR OTHER FACILITIES

Such activities are prohibited, except in accordance with the provisions of a valid permit, contract, or other written agreement with the United States.

36 CFR §5.6 COMMERCIAL VEHICLES

(b) & (c) Using commercial vehicles on government roads within park areas when such use is in no way connected with the operation of the park is generally prohibited and requires permission or a permit from the Superintendent.