



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: 18-1166

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): Jason Kessler

Dates(s): Sunday, August 12, 2018

To: Sunday, August 12, 2018

Time: Starting: 2:00 PM

Ending: 9:00 PM

Location(s):

Lafayette Park-Southwest Quadrant

Purpose: Protesting civil rights abuse in Charlottesville VA / White civil rights rally

Anticipated Number or Participants: 100-400

Person(s) in Charge: Jason Kessler & Samaria Ruiz

Address(es): (b) (6)

Phone Number: (434) (b) (6)

Mobile Number: (434) (b) (6)

On-Site Contact:

Mobile Number:

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 #18-1166

Organization: Unite the Right 2 Rally

Person(s) In Charge: Jason Kessler & Samaria Ruiz

Lafayette Park-Southwest Quadrant*

August 12, 2018 (02:00 p.m.-09:00 p.m.)

EVENT OVERVIEW: Participants (100-400) will assemble in Lafayette Park-Southwest Quadrant, to conduct a First Amendment demonstration, "Protesting civil rights abuse in Charlottesville, VA/white civil rights rally." Participants will access the demonstration site via 17th Street and Pennsylvania Avenue, NW. Activity in Lafayette Park will include speeches and the display of signs/placards and flags. Speakers include: Jason Kessler, Patrick Little, David Duke, Simon Roche, Kevin Cormier, Avi Horton, Corey Mahler and Tom Kawczynski. Permittee has indicated that civil disobedience will not be a part of this demonstration. Permittee has also indicated that Neo Nazis and Antifa, may seek to disrupt, protest or prevent the demonstration. Jason Kessler, Samaria Ruiz, Mark Harriman and Al Stankard are the permit onsite coordinators.

Time line:

02:00 p.m.-02:30 p.m.	Deliveries/Security Check
02:30 p.m.-05:30 p.m.	Setup in Lafayette Park-Southwest Quadrant/Assemble
05:30 p.m.-07:30 p.m.	Unite the Right Rally in Lafayette Park
07:45 p.m.-08:00 p.m.	Proceed to 17 th & Pennsylvania Avenue & Disperse
07:30 p.m.-09:00 p.m.	Tear down/Loadout/Cleanup/Depart

Equipment list:

Flags & Flag Poles

Two (2) Generators

One (1) Stage (4' x 12' x 18")

One (1) Cooler w/Three (3) Cases of Water

One (1) Sound system w/Supporting Equipment (Speakers, Microphone & Mixer)

Pursuant to 36 CFR 7.96(g)(4)(vii)(A), a fully executed application requesting the use of Lafayette Park, for the same time and place, has been received and a permit has been granted, authorizing activities which do reasonably permit the multiple occupancy of Lafayette Park.

Subsequently, this permit authorizes the use of Lafayette Park-Southwest Quadrant*.

Additional Conditions
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Specific Conditions for Lafayette Park-Southwest Quadrant*:

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

***NOTE:** All Staging/sound equipment utilized to support the event must be inspected by the United States Park Police (USPP). Permittee is responsible for contacting Sgt. Erich Koehler, U.S.P.P. (202) 610-7092, to coordinate the inspection prior to set up in Lafayette Park. **(Inspection will be done at the intersection of 17th Street & Pennsylvania Avenue, NW.)**

***NOTE:** All equipment must be hand carried/hand carted into the permitted area from 17th Street & Pennsylvania Avenue, NW. Permittee is responsible for contacting Metropolitan Police, (202) 671-6522, to coordinate the use of this intersection for unloading/loading.

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

NPS regulations for Lafayette Park found at 36CFR §7.96(g) (5) (x), generally prohibits the erection, placement or use of structures of any kind except for the following:

1. 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.**
2. The erection, placement or use of structures of any kind is prohibited. 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.
3. Special attention is drawn to item #7 from the Equipment List, concerning sound amplification. All sound amplification equipment shall be limited so that it will not unreasonably disturb nonparticipating persons in, or in the vicinity of, the area.

Sound amplification cannot be directed towards the White House at any given time.

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4. The use of hand-carried signs are allowed regardless of size.
5. **Permittee has requested the use of flags and flag poles as part of this demonstration.**
NOTE: Flags are treated as signs. As such, pursuant to 36 *CFR* 7.96 (g)(5)(ix)(B)(1) and 36 *CFR* 7.96 (g)(5)(ix)(B)(2), 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. For example, under this provision, two four-feet by four-feet signs may not be combined so as to create a sign eight feet long and four feet wide, and three such signs may not be arranged to create a sign four feet long and twelve feet wide, and two or more signs of any size may not be leaned or otherwise placed together so as to form an enclosure of two or more sides, etc.
6. Balloons, glass bottles, and alcoholic beverages are prohibited on park land.
7. A hard 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.

Additional General Permit Conditions:

8. All proposed amendments or additions to this permit and all proposed locations of vehicles, equipment, storage, installations of any kind, areas of activity, work and power plans shall be submitted to the NPS for prior written approval prior to the installation of facilities. These proposals shall be in map or diagram form suitable for on the ground inspection.
9. Permittee will provide an on-site coordinator to be accessible to the National Park Service and the United States Park Police personnel at all times during construction or set-up activities and during dismantling of facilities post-event.
10. The Permittee and the Permittee's contractors, may not load in any materials prior to the predetermined load in period as authorized by this permit.

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11. Permittee is responsible for providing all necessary equipment/objects to conduct this activity. All equipment must be removed from park property immediately following the conclusion of the event. Items left on park property will be considered abandoned property and will not be the responsibility of the National Park Service.

12. Structures and/or equipment, not listed on the permit, are prohibited from entering the park.

13. **Resource Protection:**

Throughout the course of this permit, the Permittee will require its employees/volunteers, and contractors, to exercise special care and attention to protect the resources of the National Park Service, and their environs. In addition, Permittee must supervise their contractors and employees during set-up and teardown to assure that there is no damage to park resources.

14. Pursuant to 36 CFR 7.96(g)(5)(xii), the alteration, adaptation, damage or injuring, and/or removal of park resources or facilities are prohibited. No holes may be dug and no item, including signs or banners, may be attached to park trees, plantings, benches or other park property.

15. The Permittee shall insure that all facilities and structures placed on park property adhere to all applicable codes, standards, and regulations including but not limited to BOCA, OSHA, USPHS, NFPA-101, IBC 2006, IFC 2006 and ADA, covering requirements including but not limited to safe construction practices, grounding of generators and maintaining access to the Memorial. Permittee will submit stamped engineered drawings for all structures, i.e. cable trusses, tents, stages, audio and video towers, etc. for NPS review and approval.

16. Stages shall not be erected on/or over plants, planters, trees, tree wells, steps or statues.

17. **Electricity:**

No electricity available on site. Permittee may provide own gasoline and/or solar powered generator(s) to provide power for tents, trailers, video and sound, towers and lighting. Generators will be installed in accordance with the site plan, D.C. Fire Department guidelines, and safely installed per manufacturer requirements. **The fueling/refueling of gasoline powered generators on parkland is prohibited*. The storage of additional fuel is prohibited.**

At a minimum, for hand carted generators, 1" professional outdoor grade plywood, or similar material must be placed underneath the generator to protect the underlying surfaces from potential weight and vibration damage and fluid leakage. Generators must be encased with a secondary drip containment unit.

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All wires must be covered by mats and/or yellow jackets to prevent tripping hazards. The cord must be in good condition, of sufficient gauge to accommodate the electrical load of equipment and must be properly grounded.

All cables, power lines, etc. shall be run in an orderly manner and contained in matted yellow jackets that provide for safety and accessibility. No power lines/phone lines can be strung between trees.

To reduce the potential for accidental contact, generators must be enclosed with a perimeter security fence at least three (3) feet in height.

A Fire extinguisher must be within 15 feet of generator(s).

The storage of fuel on parkland, in trailers, next to generators and at other NPS locations is strictly prohibited.

18. Special attention is drawn to the last sentence, item #7, last page of this permit, concerning sound amplification. All sound amplification equipment shall be limited such that it will not unreasonably disturb nonparticipating persons in, or in the vicinity of, the area.

19. **Demonstration Marshals:** Permittee will provide (10) demonstration marshals, wearing **Orange/Yellow Reflective Vests**. Each of your demonstration marshals will help maintain order among your participants. Demonstration marshals should be aware of their responsibilities and location(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 non-participants 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. **Permittee has indicated that (2-3) Demonstration Marshals will be assigned to each speaker to provide security.**

20. Permittee does not have exclusive use of the area including sidewalks and roadways. No interference with the pedestrian traffic and no blocking entrances, sidewalks, nor driveways allowed. No impeding vehicular traffic permitted. All areas remain open to the general public at all times.

21. **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 the free conduct of all First Amendment activity in Lafayette Park.

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

Lighting or maintaining a fire, or the 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, fireworks 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.

Adverse Weather Policy:

When there is a threat to public health or safety, the Superintendent and/or his/or her designee, may close the permitted park area, or an event being held there for such duration as determined necessary to ensure the safety and wellbeing of the public. Such situations have occasionally occurred in the past where park areas have been closed due to severe weather warning of heavy snow and thunderstorms with lightning and high winds. Where an area is ordered closed due to a weather-related public safety threat, pursuant to 36 CFR 2.32(2) people must comply with official directions to leave the closed area and relocate to safer sheltered locations.

22. **Filming:**

All equipment will be portable and self-contained. All cameras must be hand-held. The use of stands must be confined to the stage. All equipment must be hand carried/hand carted to filming location(s).

All cable running to press stands and other coverage locations must be covered to avoid tripping hazards. **No cables can be run through trees.**

Permittee will be responsible for informing the media about covering their cables. Any cables not properly covered will be removed.

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Cabling across entrances and handicapped accessible ramps must be ADA approved and cannot impair or prevent access. All cables must be covered to prevent tripping hazards.

Under no circumstances will any equipment, including lighting, be allowed to be placed and/or attached to any trees, planters, light poles, structures, etc.

23. The Permittee will be responsible for any injuries and/or damage to government property occurring as a result of operating outside of the permit conditions contained herein.

24. Destroying, injuring, defacing, or damaging property or real property is prohibited

25. Balloons, alcoholic beverages and glass beverage containers are prohibited on parkland.

26. Additional Permits: Person in charge is responsible for contacting the Metropolitan Police Department, (202) 671-6522, to obtain the necessary paperwork and/or permission for the use of city streets.

27. Contact Leonard D. Lee, National Mall & Memorial Parks, (202) 245-4715, to finalize any permit logistics.

28. Contact Sgt. Erich Koehler, U.S. Park Police, (202) 610-7092, to finalize any police logistics.

29. 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 Park Programs at (202) 610-7225.

30. A hard copy of this permit must be carried at all times by the Permittee while operating under the authority granted.



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.

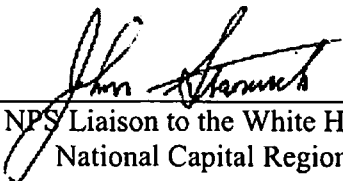
If possible, based on attendance and actions of participants at the permitted events, the US Park Police will endeavor to reduce the size, scope and duration of these requested closures in consultation with United States Secret Service and the District of Columbia's Metropolitan Police Department. If 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

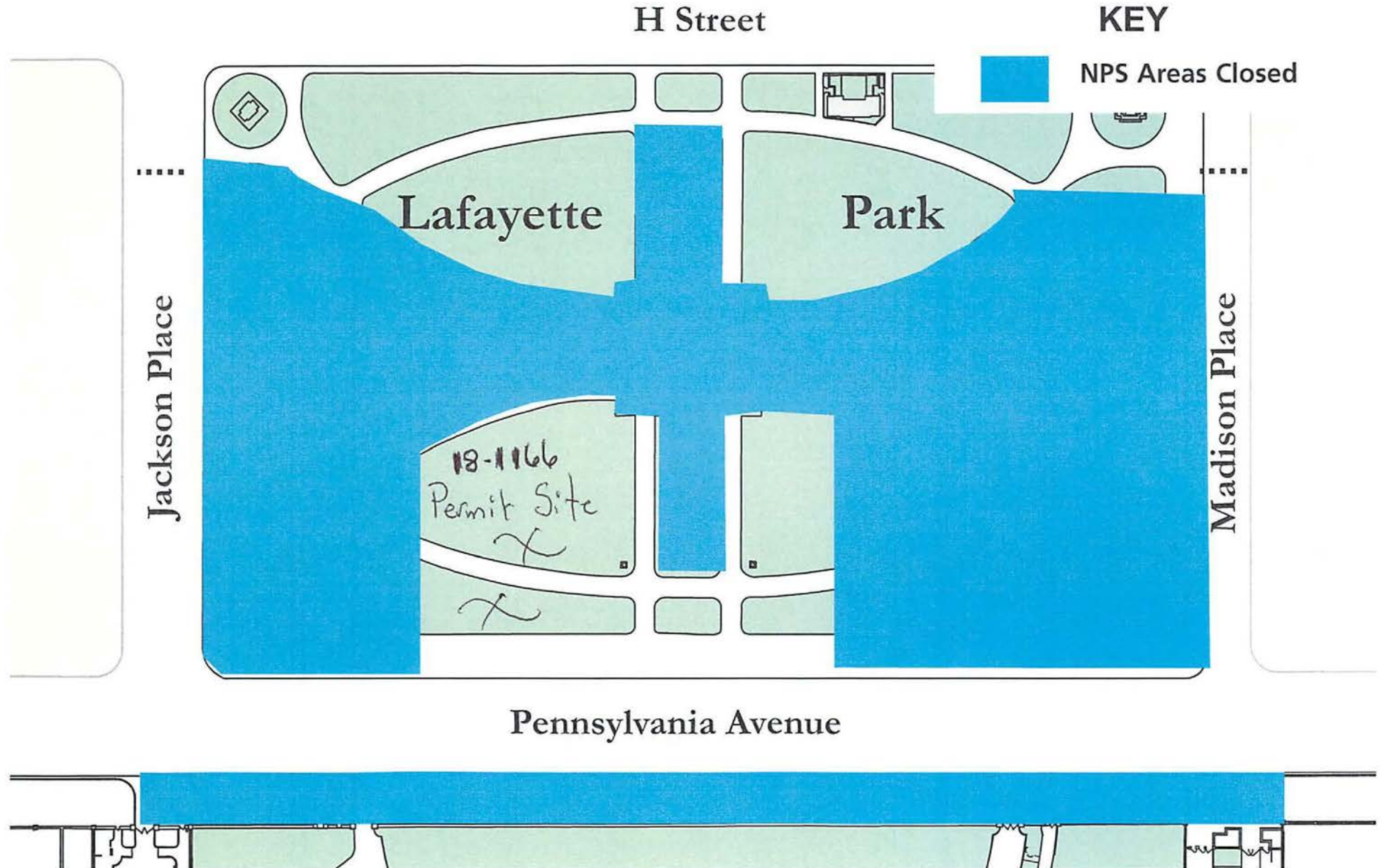
Attachments

Permitted Activities

Lafayette Park & White House Sidewalk

Sunday, August 12, 20128

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





**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.

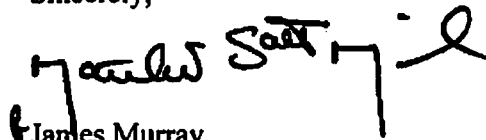
We are requesting this closure in conjunction with the robust security measures and closures that we expect will be implemented by the United States Park Police and Metropolitan Police Departments on August 12th. If events unfold such that the ranking law enforcement officers on the scene determine the 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", with a stylized flourish at the end.

James Murray
Assistant Director
Office of Protective Operations

Enclosure

**NATIONAL PARK SERVICE
CLOSURE REQUEST**

Area to be Closed to the
Public

Area(s) to be Closed
to the Public



Bike Rack/Barrier



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. No items may be sold or offered for sale except for books, newspapers, leaflets, pamphlets, buttons and bumper stickers which contain a message related to your demonstration or special event. No other merchandise may be sold or offered for sale. A stand or structure used for the sale of permitted items may not exceed one table per site, which may be no larger than 2 1/2 feet by 8 feet or 4 feet by 4 feet. The dimensions of the sales site may not exceed 6 feet wide by 15 feet long by 6 feet high.
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-Ielmini
Acting Regional Director
National Capital Region



By:

Leonard D. Lee
Division of Park Programs
National Mall & Memorial Parks