



Guidelines for First Amendment – Distribution of Printed Matter

GENERAL STATEMENT:

Under the provisions of Section 2.52 of Title 36 of the Code of Federal Regulations, the sale or distribution of printed matter is allowed within certain designated areas of Hot Springs National Park (see enclosed Designated First Amendment Areas Map), provided that a permit to do so has been issued by the Superintendent, and provided further that the printed matter is not solely commercial advertising.

SMALL GROUP EXCEPTION: No permit is required for groups of 25 persons or fewer; however, all groups, including those who do not require a permit, must exercise their First Amendment rights within designated First Amendment areas. This guideline provides for the free exercise of activities protected by the First Amendment, regulating only time, place, and manner of those activities at Hot Springs National Park.

II. PERMIT PROCESS:

1. Complete, Sign, Date, and Mail Application Form.
2. Applications must be received at least ten business days prior to date needed. (Allows time for permit to be issued, sent to permittee for signature, and returned to park for Superintendent's signature. A completed permit is then returned to permittee.)
3. The National Park Service accepts applications on a first-come, first-serve basis. Permits are issued so that only one area of the park grounds is being used at any one time for purposes which require a special use permit.
4. Permits are issued for no longer than a fourteen day period, with the activity being permitted during park grounds open hours 7:00 a.m. to 10:00 p.m.
5. Permits may be extended for like periods upon new application, provided no other application has been received and no prevailing park use has been identified for the area requested.

III. GENERAL PERMIT CONDITIONS:

The following conditions (as well as more event-specific conditions depending on the size and scope of your activity) will become part of the permit once issued and should be considered when planning your First Amendment activity:

1. In the event that two or more groups taking advantage of the small group permit exception (25 or fewer people) seek to use the same designated available area at the same time, and the area

cannot reasonably accommodate multiple occupancy, the Superintendent will, whenever possible, direct the later-arriving group to relocate to another nearby designated available area.

2. While it is not mandatory, the organizer is requested to provide reasonable notice of the proposed event to the park Superintendent, including whether there is any reason to believe that there may be an attempt to disrupt, protest, or prevent the activity.

3. Any loud speaker being used must be so adjusted as to accommodate only those people in the immediate area. All audio enhancement equipment should be portable and battery-powered as there is no power available on park grounds. **NO GENERATORS ARE ALLOWED ON PARK GROUNDS.**

4. No sale items other than printed matter are permitted. "Printed matter" under 36 CFR § 2.52 is defined as "textual printed material such as books, pamphlets, magazines and leaflets whose primary purpose is the advocacy, definition, or explanation of a group's or individuals political, religious, scientific, or moral beliefs".

5. No more than six people at a time in each designated area may distribute printed matter.

6. No temporary structures shall be erected. Nothing may be attached to park property (fences, trees, trash receptacles, buildings, etc.)

7. Sticks or poles used to support signs, flags, or banners at First Amendment and other special events are permitted. Signs may not be obscene or indecent in nature, and sticks/poles supporting the signs/flags/banners must not pose a danger to anyone else in the area. These articles will continue to be restricted as related to their entry into Federal facilities such as the Visitor Center, occupied bathhouses, and administration building.

8. Participants are to avoid language which infers an official connection with the National Park Service and its activities.

9. The area will be left in the same condition as found and all litter placed in the provided containers. Any park property damaged by, or as a result of the permit holder, will be replaced or repaired at the cost of the permit holder.

10. The permit is only for use of the specific area and time period designated on the permit. Issuance of the permit does not guarantee exclusive use of an area. The area for which the permit is issued will remain open to the public during the park's visiting hours. Permit activities must not interfere with park visitors or programs.

11. The use of any device or prop that utilizes smoke or open flame is prohibited.

12. The National Park Service reserves the right to immediately revoke the permit at any time should this become necessary in the interest of public safety, public health, and general welfare.

13. The United States Department of the Interior, National Park Service, will in no way be held responsible in the event of any personal injury, and/or loss of, or damage to, personal property during, or occurring from, the use of the area.

14. The permittee and all participants are required to comply with all applicable Federal, state, and local laws, ordinances, regulations, codes, permit requirements and conditions, as well as park regulations contained in Title 36 of the Code of Federal Regulations. The permit may be terminated upon breach of any of the conditions or at the discretion of the Superintendent. The permittee and all participants will comply with any instructions from the designated official representative of this office and similar instructions of the Hot Springs National Park Law Enforcement.

15. Good order and proper decorum shall be maintained by those persons conducting and participating in the activity and the group will leave the area at the conclusion time stated on the permit. The provisions of 36 CFR Chapter 2.31(a) (4), (5), prohibits persons engaged in activities covered under the permit to obstruct or impede pedestrians or vehicles, or harass park visitors or misrepresent their purpose. Permittee must agree to maintain public access in the area (do not block entire sidewalks/steps/door entrances, etc, with people or equipment).

16. The provisions of 36 CFR Chapter 1 Section 2.52 is the authority used for administering permits for Distribution of Printed Matter. A copy of this regulation is available upon request.

17. Failure to comply with the provisions of the permit will result in its immediate revocation. Specific individuals failing to comply with the provisions herein will be prohibited from future participation in their activities at Hot Springs National Park.

