

MAR 14 2005

D22 (NCR-NACC)

Mr. Thomas Lillie
Professional Staff Member
Senate Committee on Energy and Natural Resources
364 Dirksen Building
Washington, D.C. 20510

Dear Mr. Lillie:

This interim report is in response to Public Law 108-126, Section 206, concerning structures located in the Reserve area of Washington, D.C.

The first question concerned the United States Park Police (USPP) stables located on the Lincoln Memorial grounds. The National Park Service (NPS) has developed criteria for choosing an acceptable site for this function. The location must be close enough to the memorials on the National Mall and to the White House complex to allow for immediate response, given the strategic role of the USPP in providing for Homeland Security in this area.

The mission of the USPP Mounted Officers includes the ability to:

- Respond to spontaneous demonstrations.
- Crowd control at large scale public and 1st Amendment events.
- Providing security during helicopter landings of the President and other Heads of State.
- The stable is designated a Secure Law Enforcement Decontamination Area.
- Respond to any emergency situation at the White House.
- Provide additional security to three national icons that have been identified as a prime terrorist target.
- Provide immediate supplemental law enforcement response throughout the National Mall for the protection of the 20 million visitors that travel to the park each year.

Based on our review of four sites that meet these criteria (see enclosed site plan) we have concluded that the existing site best serves the USPP function. Due to the thickness of the vegetative cover afforded by this wooded portion of the Mall, the existing facility is not visible to visitors. In 1980, we undertook a study of alternatives for this facility and presented it to the Commission of Fine Arts. In their view the existing site was acceptable as long as a specially designed building was erected in place of the temporary ones now in place. They wrote: "There is ample precedent for stables in urban parks where the buildings actually contribute to the setting." In addition, the current location provides law enforcement presence in the high pedestrian traffic area between World War II and Lincoln Memorials, further assuring visitor safety.

The next question raised addressed improving the appearance of concession facilities within the Reserve. The current Lincoln Memorial concession program is being operated from a temporary structure. This is slated for demolition this year and will be replaced with a facility based on the design used on the Mall in front of the Smithsonian museums. An identical facility will also be constructed on the island of land enclosed by Bacon Drive, Constitution Avenue, 23rd Street and Lincoln Circle. These facilities have received approval from the D.C. State Historic Preservation Officer, the Commission of Fine Arts and the National Capital Planning Commission. Work has already begun on the north kiosk and should be completed by this winter. Work on the south kiosk will start upon completion of the north kiosk and take 8 months to complete.

The third question pertained to the placement of the 1st Amendment vigil sites on the Lincoln Memorial grounds. The Department of the Interior's Solicitor's Office has reviewed and litigated this issue intensively for many years. The outcome of this litigation:

- Allows structures for message symbolism and as shelter for displays.
- Requires NPS to uniformly and even-handedly enforce regulations.
- Limits sales items and dimensions of sales sites.

Any new or modified regulations to expand the restricted area at the Lincoln Memorial so as to preclude vigil sites may have unintended implications. Hundreds of events that use this area, such as high school band concerts, religious services and major demonstrations such as the Children's March, would also be prohibited from using this site.

Construction currently underway on the Lincoln Memorial Circle Security and Road Rehabilitation Project will impact the vigil sites. The four demonstration permits now issued will be relocated for 8 to 10 months beginning in fall 2005.

After completion of construction, we will have a better idea as to how many 1st Amendment applications we will receive for this area.

The last item asked the NPS to make any other appropriate changes, if any, to protect the character of the Reserve. We are currently developing a planning process which will lead to a Comprehensive Management Plan for the National Mall. We will work closely with the D.C. State Historic Preservation Officer, the Commission of Fine Arts and the National Capital Planning Commission on this plan. The completed plan may result in other legislative amendments to protect the character of the Reserve.

We will update this report as more information is developed.

Sincerely,



Regional Director, National Capital Region

Enclosure

Proposed Locations for a U.S. Park Police Stable

