

Committee on Natural Resources
Subcommittee on Oversight and Investigations
Oversight Hearing
1324 Longworth House Office Building
December 10, 2024
10:15 AM

Oversight Hearing titled *“Desecrating Old Glory: Investigating How the Pro-Hamas Protests Turned National Park Service Land into a Violent Disgrace”*

Questions from Chairman Westerman for Mark Greenblatt Inspector General

1. Can you describe some of the improvements the Division of Permits Management is considering for the First Amendment permit process?

According to the Chief of the Division of Permits Management, in response to First Amendment events that resulted in civil unrest and to improve the permit process, the National Park Service (NPS) has implemented or is in the process of implementing policy changes to the permit process. Specifically, the Division of Permits Management implemented:

- A new requirement that applicants must specify on their permit application the exact date and location of their event. NPS told us that many applicants do not list a specific date or location, which results in the permit staff spending significant time and resources to deconflict the date and location. According to the updated policy, the Division of Permits Management’s previous practice was to provide provisional authorization to applicants who submitted applications with nonspecific dates and locations. Acceptance of those nonspecific permit applications resulted in challenges and delays for both the Division of Permits Management and USPP in managing permits, events, and demonstrations.
- A new requirement that applicants wishing to change the date of their event must submit a new application rather than amending their existing application. Previously, applicants amended their original application, which presented problems when applicants changed the date just a few days prior to a scheduled event. This had an adverse effect on the Division of Permits Management completing a full review of the documents related to the application.
- A requirement that there must be two NPS event compliance monitors at an event instead of one. A June 2024 permitted demonstration at Lafayette Park (during which a compliance monitor was by himself and was assaulted) reinforced the need for this requirement.

Additionally, the Division of Permits Management:

- Is in the process of updating the permit application to include language that would require the applicants to certify all the information provided in the permit application is complete and correct, and the permittee has not included false or misleading information or statements. This change occurred as a result of our report on the Department of the Interior's actions related to January 6, 2021.¹
- Is updating and solidifying its event guidelines to make sure that written policies and standard operating procedures are accurate and up to date.

In addition, the Lieutenant of the U.S. Park Police's (USPP) Special Events Unit informed us that for some events, NPS requires the permittees to furnish their own volunteers as unarmed marshals to help with crowd control, including assisting with participants staying on the designated route during marches. Attorneys from the Office of the Solicitor told us that due to past issues (e.g., marshals who were not responsive to USPP or who participated in illegal conduct during the events), in August 2024, NPS began requiring the permittee to provide contact information for lead or chief marshals and information showing the specific geographic areas where those individuals have been assigned. According to these attorneys, the change will ensure that (1) marshals are dispersed at specific areas known to NPS permit staff and USPP; (2) NPS permit staff and USPP have the ability to directly contact a known person in each area of the event; and (3) permittees have control over their marshals in each area to give direction, provide for participant safety, and prevent illegal or damaging behavior. An attorney from the Office of the Solicitor told us that such a requirement is intended to compel the permittees to make good faith efforts to control their own crowds.

2. Do you have any further recommendations for the National Park Service to improve coordination with law enforcement throughout the public gathering permitting process?

We do not have any further recommendations for NPS to improve coordination with law enforcement throughout the public gathering permitting process, based on the oversight work we have completed to date. We will, however, remain attentive to this issue and make recommendations in the future as appropriate. We are also available for further discussions on this topic with the Subcommittee.

¹ Review of the U.S. Department of the Interior's Actions Related to January 6, 2021 (Report No. 21-0286), issued December 2023, available at <https://www.doioig.gov/reports/special-review/review-us-department-interiors-actions-related-january-6-2021>.