

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

GILBERT BAKER FOUNDATION; CHARLES  
BEAL; VILLAGE PRESERVATION; and EQNY  
FUND, INC. d/b/a EQUALITY NEW YORK,

Plaintiffs,

v.

U.S. DEPARTMENT OF THE INTERIOR and DOUG  
BURGUM, in his official capacity as  
Secretary of the U.S. Department of the Interior,  
1849 C Street, N.W.,  
Washington, D.C. 20240;

NATIONAL PARK SERVICE and JESSICA  
BOWRON, in her official capacity as  
Acting Director of the National Park Service,  
1849 C Street, N.W.,  
Washington, D.C. 20240; and

AMY SEBRING,  
in her official capacity as  
Superintendent of Manhattan Sites,  
c/o Federal Hall National Memorial,  
26 Wall Street,  
New York, NY 10005;

Defendants.

**No. 26 Civ. 1317**

**INTRODUCTION**

1. The Stonewall National Monument in Greenwich Village, New York City, is the first national monument in the United States dedicated to the LGBTQ+<sup>1</sup> rights movement. It commemorates the historic uprising that occurred in the same location a half-century ago following an infamous police raid on the Stonewall Inn, an underground gay bar at the time. That incident is widely considered to be the birth of the LGBTQ+ rights movement in the United States.

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<sup>1</sup> “LGBTQ+” refers to lesbian, gay, bisexual, transgender, and queer persons, including other sexual and gender minorities.

2. In 2022, after extensive advocacy by the LGBTQ+ community, the National Park Service (“NPS”) installed a flagpole inside the Stonewall National Monument to fly a Pride flag. The Pride flag, which generally consists of differently colored horizontal stripes representing a rainbow, has been and remains a widely recognized symbol of LGBTQ+ equality since the 1970’s.

3. At the time, the NPS explained this watershed event—the first Pride flag flown permanently on federal lands—by pointing to “the significance of the rainbow flag to Stonewall National Monument and the community” and NPS’s commitment “to telling the complex and diverse histories of all Americans.” The official NPS-sanctioned flag at Stonewall typically bears the Park Service’s logo along with the inscriptions “STONEWALL National Monument” and “Established 2016.”

4. But on or about February 9, 2026, the federal government abruptly changed course and took down the official Pride flag from Stonewall. This sudden decision has sparked widespread protest among New York’s LGBTQ+ community.

5. The government claims the removal is necessary to comply with NPS and Department of Interior (DOI) official policies that purportedly prohibit the flying of anything but the United States flag, DOI flags, and the POW/MIA flags in national parks. The NPS and DOI policies, however, require no such thing. In fact, the opposite is true: The policies the government says require removing the Pride flag *expressly permit* the NPS to fly other flags that provide historical context to national monuments—which is precisely what the NPS official Pride flag did at Stonewall for many years.

6. The removal of the official Pride flag is a textbook example of an arbitrary and capricious action. Simply put: The government acts arbitrarily when it claims its actions are mandated by a policy that—on its face—says no such thing.

7. This was no careless mistake. The government has *not* removed other historical flags at other national monuments, most notably Confederate flags. Meanwhile, the assault on Stonewall is the latest example in a long line of efforts by the Trump Administration to target the LGBTQ+ community for discrimination and opprobrium. In February 2025, for instance, the administration removed the word “transgender” from prominent sections of the Stonewall monument’s website, as part of its wider campaign to demean and erase the transgender community. The Trump Administration has deleted numerous NPS websites discussing LGBTQ+ history; fired at least one federal employee for displaying a pride flag in his office; banned the use of pronouns in email signatures; renamed a John Lewis-class replenishment oiler named after Harvey Milk, a pioneering gay rights leader who served as a Navy officer and one of the first openly gay elected officials in the United States; and—in a particularly absurd example—even flagged for deletion images of the B-29 aircraft Enola Gay, the plane that dropped the first atomic bomb, apparently because the images included the word “Gay.” This pattern of systemic targeting of the LGBTQ+ community—combined with the starkly disparate treatment of the Pride flag—demonstrates that the decision to alter the Stonewall monument was not just a mistake. It was based on an impermissible animus.

8. In addition, the government’s removal of the Pride flag from the Stonewall monument is a clear violation of the Presidential proclamation that established the monument and its Foundation Document that plainly require the NPS “to interpret the monument’s objects, resources, and values related to the LGBT civil rights movement.”

9. Finally, the federal government failed to comply with Section 106 of the National Historic Preservation Act and its implementing regulations. In particular, in its rush to remove the

Pride flag from the Stonewall National Monument, the government did not consult with relevant state officials and the public—as mandated by law.

10. This case concerns one flag. But it is about so much more. The Pride flag symbolizes the dignity and respect for which members of LGBTQ+ community have so long fought and so rightfully deserve. Its colors reflect the diversity of the LGBTQ+ community and the spectrum of human sexuality and gender.

11. Plaintiffs are an individual and a collection of prominent community organizations in New York, each of whom has been harmed by the flag's removal and has standing to sue. They bring this action under the Administrative Procedure Act to vacate the NPS's decision and restore the official Pride flag to Stonewall. At best, the federal government has obviously misread its own policies. At worst, the government was motivated by animus toward the LGBTQ+ community. And at minimum, the government failed to follow the processes for a decision of this nature. Either way, the government's actions were arbitrary and capricious, and contrary to law. This Court can, and should, intervene.

### **JURISDICTION AND VENUE**

12. This Court has subject matter jurisdiction under 28 U.S.C. § 1331 because this matter arises under federal law, namely, the Administrative Procedure Act, 5 U.S.C. § 701 *et seq.*

13. Venue is proper in this District under 28 U.S.C. § 1391(e)(1) because Defendants are agencies of the United States, the Stonewall National Monument is located in this District, and a substantial part of the events giving rise to the claims occurred in this District.

### **FINAL AGENCY ACTION**

14. This action challenges final agency action reviewable under the Administrative Procedure Act, 5 U.S.C. § 704.



15. On or about February 9, 2026, the NPS removed the Pride flag from the Stonewall National Monument.

16. The removal of the Pride flag is final agency action within the meaning of 5 U.S.C. § 704 because:

- a. It represents the consummation of the NPS's decisionmaking process regarding whether the Pride flag may be displayed at the Stonewall National Monument;
- b. It is a definitive determination by the NPS that the Pride flag shall not be displayed at the monument;
- c. The removal determines the legal rights and obligations of Plaintiffs and others affected by flag displays at the monument;
- d. Legal consequences flow from the removal, including the denial of Plaintiffs' ability to experience the monument with LGBTQ+ symbols integral to its designated historical purpose and the frustration of the monument's mandate to preserve and interpret LGBTQ+ history;
- e. The removal is complete, operational, and not tentative or subject to reconsideration;
- f. NPS has not stated any intention to restore the Pride flag or to reconsider its removal decision;
- g. No further agency action is required or contemplated. The removal is a completed act with present legal effect.

17. The removal of the NPS-sanctioned Pride flag remains in effect. Notwithstanding the temporary raising of an unofficial Pride flag by community members, Defendants have not restored the NPS-sanctioned Pride flag. Instead, Defendants continue to prohibit its display.

Indeed, they have specifically stated that NPS is “going to continue to adhere to the existing rules and not make exceptions for Stonewall.” Noorulain Khawaja, *Advocates Bring Pride Flag Back To Stonewall*, NY1 (Feb. 12, 2026), <https://ny1.com/nyc/all-boroughs/news/2026/02/13/advocates-bring-pride-flag-back-to-stonewall> [<https://perma.cc/46UX-BCK8>].

18. This action is ripe for review because the removal has been completed, is causing present and ongoing injury to Plaintiffs, presents purely legal questions suitable for judicial resolution, and withholding review would cause substantial hardship to Plaintiffs.

19. Plaintiffs have no other adequate remedy at law. The removal provides no administrative appeal process, and monetary damages cannot remedy the ongoing erasure of LGBTQ+ history and symbols at the Stonewall National Monument or restore Plaintiffs’ ability to experience the monument as designated.

## PARTIES

### *Plaintiffs*

20. Plaintiff the GILBERT BAKER FOUNDATION is a non-profit organization founded to protect and extend the legacy of Gilbert Baker, the creator of the Rainbow Pride flag. The foundation’s mission is to record and promote the history of the creation of the Rainbow Flag and its impact on the world, and to educate future generations about the Rainbow Flag.

21. To execute its mission, among other efforts, the Gilbert Baker Foundation creates educational programs about the history of the Rainbow Pride flag and works with state and local governments on implementing solutions for displays of the Rainbow Pride flag.

22. For example, in collaboration with ReportOUT, the Gilbert Baker Foundation developed an award-winning “Flag in the Map” project, which documented people flying their

Pride flags in all parts of the world. See *Flag In the Map* (accessed Feb. 17, 2026), <https://gilbertbaker.com/flaginthemap/> [<https://perma.cc/9HV9-ES7T>].



23. In the last several years, in response to efforts to ban the Pride flag around the country, the Gilbert Baker Foundation has opposed these bans through advocacy, community outreach, and litigation. Most recently, the Gilbert Baker Foundation supported litigation against a municipal ban of Pride flags in Hamtramck, Michigan.

24. In collaboration with the ACLU, the Gilbert Baker Foundation developed the “Save the Rainbow Flag” initiative, a dynamic tool kit designed to help communities push back against efforts trying to ban the flag.

25. The Gilbert Baker Foundation has also been involved in the response to the government’s removal of the Rainbow Pride flag from the monument including through participating in advocacy and by expending its resources to provide the Rainbow Pride flag that

was raised by local politicians and advocates on February 12, 2026 in place of the official NPS-sanctioned flag.

26. The removal of the official Pride flag injures the Gilbert Baker Foundation because it frustrates the Gilbert Baker Foundation's mission in the following ways:

- a. The removal destroyed resources the Foundation invested in advocating for the display of the Pride flag at Stonewall.
- b. The removal has forced the Foundation to divert resources from its educational and partnership programs towards defensive efforts opposing the removal.
- c. The Foundation has expended resources on the creation and installation of a replacement flag raised by community members on February 12, 2026.
- d. By losing the Stonewall National Monument as a premiere example of a government-endorsed display of the Pride flag, the Foundation will be required to revise its materials and messaging to prospective government partners.

27. Plaintiff CHARLES BEAL is the President of the Gilbert Baker Foundation, a lifelong social activist, and an award-winning art director for film and television. Mr. Beal worked closely with Gilbert Baker beginning in 1994 when he assisted Mr. Baker with the creation of the Mile Long Rainbow Flag for Stonewall 25. Mr. Beal continued to collaborate with Mr. Baker on numerous projects including Worldpride 2000 in Rome and other pride celebrations around the globe.

28. Mr. Beal has been visiting the Stonewall Inn and the surrounding park regularly since 1993 and has visited the Stonewall National Monument countless times since its creation in 2016. He intends to continue visiting the monument several times a year.

29. Mr. Beal visits the monument because of its significance to the LGBTQ+ liberation movement and has concrete plans to visit on June 2, 2026.

30. The official Pride flag is integral to Mr. Beal's experience of the monument as a site commemorating LGBTQ+ history and rights. The Pride flag is meaningful to Mr. Beal both because of its importance to the LGBTQ+ community and because of his connection to Mr. Baker. Importantly, the Pride flag installation by the NPS inside the monument—the first such display on federal property—is significant to Mr. Beal because it signals acceptance by the federal government and the enormous progress achieved by the LGBTQ+ community, which was facilitated by the events at Stonewall.

31. The removal of the official Pride flag has deprived and continues to deprive Mr. Beal of the aesthetic, educational, and historical experience the monument was designated to provide.

32. The temporary, unofficial Pride flag raised by activists and local politicians does not repair the injury that the government caused Mr. Beal by taking down the official flag.

33. Plaintiff VILLAGE PRESERVATION (formerly the Greenwich Village Society for Historic Preservation) is a non-profit organization founded to document, celebrate, and preserve the special architectural and cultural heritage of the New York City neighborhoods of Greenwich Village, the East Village, and NoHo.

34. Village Preservation has long advocated for formal recognition of historic sites related to LGBTQ+ history. For example, in 2019, Village Preservation secured New York City landmark status for the Lesbian, Gay, Bisexual & Transgender Community Center and the Gay Activists Alliance Fire House. In 2022, it obtained a similar designation for Julius' Bar, a historic gay bar in Greenwich Village.

35. In 1999, Village Preservation co-nominated the Stonewall Inn and the surrounding streets and park for listing on the National Register of Historic Places. On June 21, 1999, the Stonewall Inn and its surroundings were placed on the National Register of Historic Places. The Stonewall Inn was the first—and for many years the only—site in the National Register of Historic Places listed because of its connection to LGBTQ+ history.

36. In 2014, Village Preservation formally proposed the Stonewall Inn for individual landmark designation to ensure its LGBTQ+ history was recognized and the features which related to the historic events which took place there were preserved. In June of 2015, after a year-and-a-half campaign supported by elected officials, LGBTQ+ community groups, and other preservation organizations, the Landmarks Preservation Commission designated Stonewall an individual landmark, making it the first site designated by the City of New York due to its LGBTQ+ history.

37. In 2016, Village Preservation was part of the coalition of groups and elected officials that spearheaded the drive to designate Stonewall as a National Monument. Village Preservation's decades-long advocacy was essential to establishing Stonewall National Monument's protected status and official recognition of LGBTQ+ history.

38. The Stonewall National Monument represents the culmination of Village Preservation's decades-long effort to preserve LGBTQ+ history and serves as the organization's flagship example of successful historic preservation advocacy:

- a. Village Preservation cites its role in achieving Stonewall's designation as one of its key organizational accomplishments.
- b. The monument is featured prominently in Village Preservation's educational materials, fundraising appeals, and advocacy campaigns as evidence that historic preservation can successfully recognize and protect LGBTQ+ heritage.



- c. Village Preservation uses Stonewall National Monument as a model when advocating for landmark designation of other LGBTQ+ sites, demonstrating to government officials and the public that LGBTQ+ history warrants official recognition and protection.
  - d. The monument's status validates Village Preservation's organizational approach of combining architectural preservation with cultural history preservation, particularly for marginalized communities.
39. The removal of the Pride flag injures Village Preservation by:
- a. Undermining the organization's historic achievement: Village Preservation spent decades advocating for Stonewall's recognition as a site of LGBTQ+ significance. The removal of the Pride flag—the international symbol of LGBTQ+ identity—contradicts and undermines the very purpose for which Village Preservation fought to have the monument designated.
  - b. Damaging educational programming: Village Preservation's tours, public programs, and educational initiatives that feature Stonewall National Monument are perceptibly impaired because the organization must now explain why the Pride flag is absent from a monument specifically designated to commemorate LGBTQ+ history, rather than using the site to illustrate successful preservation of LGBTQ+ heritage.
  - c. Undermining advocacy for other LGBTQ+ sites: Village Preservation's ongoing efforts to secure landmark designation for other LGBTQ+ historic sites are impeded because government officials and the public may question whether landmark designation actually protects LGBTQ+ history when the federal

government removes LGBTQ+ symbols even from a National Monument designated for that purpose.

- d. Contradicting organizational message: Village Preservation's core message—that historic preservation is an effective tool for recognizing and protecting LGBTQ+ heritage—has been officially contradicted by the federal government's actions at the very site that was meant to exemplify this principle.

40. Additionally, the removal of the Pride flag injures Village Preservation by diverting its resources in the following ways:

- a. Village Preservation has been forced to devote staff time to responding to inquiries from members, donors, elected officials, media, and the public about why the Pride flag was removed from a monument that Village Preservation helped create specifically to preserve LGBTQ+ history.
- b. Village Preservation has had to revise educational materials, tour scripts, map content, and advocacy documents that previously presented Stonewall National Monument as an example of successful federal recognition of LGBTQ+ history.
- c. Village Preservation has devoted organizational resources to advocacy and public statements opposing the removal, including coordination with coalition partners and media outreach.
- d. Village Preservation has expended reputational resources defending Village Preservation's effectiveness to donors and supporters who question whether the organization's decades of work on Stonewall has been undone by federal government actions.



41. Plaintiff EQNY FUND, INC., d/b/a EQUALITY NEW YORK, is a non-profit advocacy organization that advances the lives of all LGBTQ+ New Yorkers and their families. Founded in 2017, Equality New York has more than 4,500 members throughout New York State. Collectively, its members engage and mobilize in ways that help Equality New York reach their mission of advancing the lives of all LGBTQ+ New Yorkers and their families.

42. Some members of Equality New York have participated in advocacy on behalf of LGBTQ+ people since the Stonewall uprising, including some participating in the uprising itself. Members of Equality New York also regularly visit the Stonewall National Monument to observe and experience the historical site and its symbols of LGBTQ+ history, including the Pride flag.

43. Due to the importance of the Stonewall National Monument to its members, Equality New York has worked to secure state and local funding for the monument and its surrounding environments.

44. For example, Eunic Ortiz, a cofounder of Equality New York and a lifetime member, was integral to making the park a national monument and has particular expertise in both the history of the LGBTQ+ movement and the events leading up to monument's establishment. She and her wife, like many same-sex couples, were married at the park. Defendants' attempts to minimize and chip away at the monument's symbolism is an attack on the very history Ortiz and other members seek to pass down to future generations.

45. Equality New York also uses the Stonewall National Monument for events. Some of its members have also formulated trainings and educational campaigns regarding the history of the LGBTQ+ movement and its fight for equality. Some of these trainings and campaigns refer to and discuss the Stonewall National Monument and the NPS-sanctioned Pride flag serves a critical

role in these members' ability to discuss the LGBTQ+ movement and Stonewall with full historical context and with the symbolism for which the monument was designated.

46. Melissa Sklarz is another lifetime Equality New York member and long-time transgender activist who joined in promoting the national monument and participated in many rallies that demonstrated the core values that animate the national monument's purpose. *See, e.g.,* The Obama White House, *Announcing the Stonewall National Monument*, YouTube (June 24, 2016) (at 1:39-1:47), <https://www.youtube.com/watch?v=ywtvJyXDWkk>. Seeing the monument's symbolism diminished and feeling the animus Defendants' actions impart is both dehumanizing and painful to Ms. Sklarz.

47. Another elder transgender activist and Equality New York member, Tanya Asapansa Walker shares the same pain and humiliation. Tanya provides programming that teaches about the progress transgender members of the LGBTQ+ community have made; however, the government's attempts to walk-back the monument's proud symbolism—along with the vicious campaign of animus toward and erasure of transgender people the government wages—have been devastating.

48. Following Defendants' actions to take down the NPS-sanctioned Pride flag from Stonewall, Equality New York heard from its members who expressed outrage and concern over the removal of the flag. Among the concerns from Equality New York's members were the erasure of such an important symbol for their community and fears that the removal represented a further escalation of the acts by the current administration targeting the LGBTQ+ community for erasure and discrimination. Equality New York members further expressed fear that removal of the flag constituted an initial salvo in eliminating or de-designating the Stonewall National Monument, an

important historical marker that recognized the identities, struggles, and hopes for a more inclusive future of the LGBTQ+ people.

49. Since the removal of the NPS-sanctioned Pride flag from Stonewall, consistent with the calls by its members, Equality New York has contacted and worked with federal, state, and local officials to have the Pride flag reinstated at Stonewall National Monument. This has included working with local officials and community members to raise an unofficial Pride flag at the Monument next to the United States flag.

50. Equality New York brings this suit on behalf of itself and its members.

51. The removal of the Pride flag deprives the members of Equality New York of the ability to experience the monument with the full historical context and symbolism for which it was designated, causing aesthetic and informational injury.

52. The claims asserted are germane to the Equality New York's mission of advancing the lives of all LGBTQ+ New Yorkers and their families.

53. Neither the claims asserted nor the relief requested requires the participation of individual members in this lawsuit.

#### *Defendants*

54. Defendant DOUG BURGUM is the Secretary of the United States Department of the Interior. As Secretary, he has ultimate authority over the National Park Service and its management of national monuments, including the Stonewall National Monument. He is sued in his official capacity.

55. Defendant United States DEPARTMENT OF THE INTERIOR ("DOI") is a department of the executive branch of the United States government. DOI oversees the National Park Service and is responsible for the management and administration of the nation's national

monuments, including the Stonewall National Monument. DOI is an agency within the meaning of 5 U.S.C. § 551(1).

56. Defendant JESSICA BOWRON is the Acting Director of the National Park Service. As Acting Director, she is responsible for overseeing the operations, management, and policies of the National Park Service, including those governing the display of flags and interpretive materials at national monuments. She is sued in her official capacity.

57. Defendant NATIONAL PARK SERVICE (“NPS”) is an agency of the United States government within the DOI, responsible for managing national parks and monuments, including the Stonewall National Monument. Upon information and belief, NPS removed the official Pride flag from the Stonewall Memorial. NPS is an agency within the meaning of 5 U.S.C. § 551(1).

58. Defendant AMY SEBRING is, upon information and belief, the Superintendent of Manhattan Sites for the NPS. In that capacity, she has direct supervisory authority over the Stonewall National Monument and its day-to-day operations, including decisions regarding the display of flags and other materials at the monument. She is sued in her official capacity.

## **FACTUAL BACKGROUND**

### *The Stonewall Uprising*

59. In the early morning of June 28, 1969, New York City police raided the Stonewall Inn, a gay bar in Greenwich Village.

60. The raid sparked days of protests and riots in the surrounding streets, marking a watershed moment in the LGBTQ+ rights movement.

61. Prior to Stonewall Uprising, LGBTQ+ individuals faced pervasive discrimination, criminalization, and violence. Police raids of gay bars were common, and LGBTQ+ people had few legal protections, little organized advocacy, and scant political power.

62. The Stonewall Uprising catalyzed the modern LGBTQ+ rights movement, leading to the formation of advocacy organizations, annual Pride marches, and decades of progress toward equality.

63. The first Pride march occurred on June 28, 1970, the one-year anniversary of the Stonewall uprising.

64. Stonewall has become a global symbol of LGBTQ+ resistance and liberation. LGBTQ+ events and organizations around the world have been named in honor of Stonewall.

#### *The Pride Flag*

65. The first Pride flag was created in 1978 by Gilbert Baker. The original rainbow design contained eight colors, with a specific meaning assigned to each color: hot pink (sex), red (life), orange (healing), yellow (sunlight), green (nature), turquoise (magic/art), indigo (serenity), and violet (spirit).

66. The design of the Rainbow Pride flag soon changed to six colors (red, orange, yellow, green, blue, violet). It has become an internationally recognized symbol of LGBTQ+ identity, community, and rights.

67. For example, in June 2015, in the wake of the Supreme Court's landmark ruling in *Obergefell v. Hodges* that proclaimed that the fundamental right to marry is guaranteed to same-sex couples under the U.S. Constitution, the White House was illuminated in rainbow colors for an evening.



68. In recent years, the Pride flag has continued to evolve to reflect the diversity within the LGBTQ+ community and the broader world.

69. For example, the Progress Pride flag, designed by Daniel Quasar in 2018, includes a left-aligned chevron with black, brown, white, pink, and light blue stripes. The additional colors represent people of color, transgender and non-binary people, and people affected by HIV/AIDS.

#### *The Stonewall National Monument*

70. On June 24, 2016, President Barack Obama issued Presidential Proclamation 9465, 81 Fed. Reg. 42215 (June 29, 2016), establishing the Stonewall National Monument under the Antiquities Act, 54 U.S.C. § 320301.

71. The Stonewall National Monument is the first national monument in the United States dedicated to the LGBTQ+ rights movement. It encompasses approximately 7.7 acres, including the Stonewall Inn, Christopher Park, and several nearby streets and sidewalks in Greenwich Village, Manhattan.

72. The proclamation explained that the purpose of establishing the monument at the site of the Stonewall Uprising was to “elevate its message and story to the national stage and ensure that future generations would learn about this turning point that sparked changes in cultural attitudes and national policy towards LGBT people over the ensuing decades.” 81 Fed. Reg. 42215, 42218.

73. The Presidential Proclamation requires the preparation of a management plan that “shall ensure that the monument fulfills the following purposes for the benefit of present and future generations: (1) to preserve and protect the objects of historic interest associated with the monument, and (2) to interpret the monument’s objects, resources, and values related to the LGBT civil rights movement.” *Id.*

74. For many years, members of the LGBTQ+ community, including plaintiffs, advocated for a display of the Pride flag at the Stonewall Memorial. Since 2017, the Pride flag flew on a portion of the surrounding park owned by New York City. Nonetheless, activists, including Michael Petrelis and Steven Love Menendez, continued to advocate for a display of the Pride flag at the Stonewall National Memorial with authorization from the federal government.

75. In 2021, citing the “significance of the rainbow flag to Stonewall National Monument and the community,” NPS approved the installation of a flagpole that “complement[s] the historic iron fence surrounding the federally owned Christopher Park” and that would be “permanently located front and center in the beautiful gardens” inside the park. Ex. A, September 17, 2021 Letter from G. Vietzke, Regional Director, National Park Service to M. Petrelis.

76. On June 1, 2022, an NPS superintendent Shirley McKinney, along with members of the LGBTQ+ community, ceremoniously raised the Progress Pride flag on a permanent flagpole at the Stonewall Memorial. *See Virtual Fence Exhibit - Stonewall National Monument (U.S.*

*National Park Service*) (accessed Feb. 17, 2026), <https://www.nps.gov/ston/learn/photosmultimedia/virtual-fence-exhibit.htm> [<https://perma.cc/G7T7-JB4T>].

77. The Progress Pride flag they raised reflected both its official status as part of the Stonewall National Monument, with its title, establishment date, and the NPS emblem, and its historical rooting. The flag’s inscription of the word “Stonewall” replaced the “A” with a lower case Greek letter Lambda—λ—a symbol of LGBTQ+ activism adopted in the aftermath of the Stonewall Uprising. Dr. Gillian Murphy, *LGBTQI+ Symbols And Their Meanings*, LSE History (May 15, 2024), <https://blogs.lse.ac.uk/lsehistory/2024/05/15/lgbtqi-symbols-and-their-meanings/>.

78. The raising of a Pride flag at the Stonewall National Monument was a watershed moment because it was the first Pride flag flown permanently on federal lands. At the time, the NPS explained that “[f]or many years, the rich histories of lesbian, gay, bisexual, transgender and



queer Americans have been erased through punishing laws and general prejudice. The National Park Service is committed to telling the complex and diverse histories of all Americans.” National Parks of New York Harbor, Facebook (June 7, 2022), <https://www.facebook.com/NPSofNYHarbor/posts/pfbid025fgZ4HgsfooWdNHPTgtU9eSW6HeFUZVGo8SDhTsqixX7r1tpiaqnF26XSbEoYdMhl> [<https://perma.cc/6LHD-ZSSX>].

79. Sometime after the beginning of the current administration, NPS was ordered to fly only a Rainbow Pride flag (either the original 8-color design or the popular 6-color design) and not the Progress Pride flag.

80. As of February 14, 2026, the NPS website about the Stonewall National Monument displayed the official Rainbow Pride flag. *See Interpretative Flags - Stonewall National Monument (U.S. National Park Service)* (accessed Feb. 17, 2026), <https://www.nps.gov/ston/learn/photosmultimedia/interpretative-flags.htm> [<https://perma.cc/BM6A-S7BT>].



81. The NPS website explained:

Visitors to Christopher Park will find the interpretive flag display featuring the Pride flag. The original Pride flag was debuted with eight colors in 1978, a few years after the Stonewall Uprisings, and each color symbolizes an aspect of the life and experience of the members of the community. It has since become an internationally recognized symbol.

*Id.*

*The January 21, 2026 Directive*

82. On January 21, 2026, the Department of the Interior issued a directive titled “Guidance on the Display and Flying of Non-Agency Flags and Pennants within the National Park System.” *See* Ex. B (the “Directive”).

83. The Directive states that “only the U.S. Flag, flags of the DOI, and the POW/MIA flag will be flown by the NPS in public spaces where the NPS is responsible for the upkeep, maintenance, and operation of the flag and flagpole,” subject to several exemptions. *Id.* at 2.

84. Critically, the exemptions include flags that “provide historical context.” *Id.* at 3. According to the Directive,

The flying of non-agency flags and pennants within units of the National Park System on flagpoles, buildings, or other points of display managed, co-managed, or controlled by the NPS that fall under the following categories may also be permitted. These categories include flags and pennants that . . . provide historical context . . . [or] . . . are part of historic reenactments or living history programs.

*Id.*

85. The Directive states that “Departmental policy on displaying and flying flags is found at 310 DM 5.” “310 DM 5” refers to the Department of Interior Manual Part 310 Chapter 5 entitled “Flags.” *See* Ex. C (the “Policy”).

86. The Policy describes the protocol for flying a U.S. flag and other authorized flags. It states that certain officials “may authorize the flying of flags and pennants, other than those described in this chapter, as appropriate, provided flags and flagpole space are available for this purpose.” *Id.* at 6. The Policy does not state that only U.S. Flags, flags of the DOI, and the POW/MIA flag can be flown by the NPS. *Id.*

*The Removal of the Pride Flag*

87. On or about February 9, 2026, NPS removed the Pride flag from the Stonewall National Monument without prior public notice or announcement.

88. The flag’s removal was discovered on February 9, 2026, when employees of the Stonewall Inn arrived for work.

89. In response to press inquiries, NPS stated that it removed the flag to comply with the Directive, stating that “only the U.S. flag and other congressionally or departmentally authorized flags are flown on N.P.S.-managed flagpoles, with limited exceptions” and that “[a]ny changes to flag displays are made to ensure consistency with that guidance.” Deena Zaru, *Trump Admin Removes Pride Flag From Stonewall National Monument*, ABC News (Feb. 10, 2026), <https://abcnews.com/US/trump-admin-removes-pride-flag-stonewall-national-monument/story?id=130023944> [<https://perma.cc/Q8RY-6N5U>].

90. NPS added that the monument “continues to preserve and interpret the site’s historic significance through exhibits and programs,” but did not explain how the flag removal is consistent with preserving that significance. *Id.*

91. NPS did not explain why the Pride flag would not qualify for the “historical context” exemption, despite the monument being specifically designated to commemorate LGBTQ+ history.



92. On February 11, 2026, NPS installed a United States flag in the flagpole that was installed by NPS in 2022 to display the Pride flag. *See* Swapna Venugopal Ramaswamy, “*We Will Not Be Erased*”: *Stonewall Pride Flag Raised In Defiance*, USA Today (Feb. 12, 2026), <https://www.usatoday.com/story/news/politics/2026/02/12/new-york-pride-flag-stonewall-monument-trump/88631061007/> [<https://perma.cc/3S7K-WETN>].

93. On February 12, 2026, activists and local politicians held a demonstration at the Stonewall National Monument and raised an unofficial Rainbow Pride flag at the monument. *Id.*

94. The unofficial flag was first raised by local politicians on a separate, shorter flagpole below the American flag. *Id.* Local activists later joined both flags with plastic zip ties and raised them together on the same flagpole. *Id.*



95. The unofficial Rainbow Pride flag raised on February 12, 2026, does not include the NPS logo or text that appears on the official Rainbow Pride flag which normally flies at Stonewall.

96. The unofficial flag was raised by private citizens, not by Defendants. Defendants have neither authorized the display of the unofficial Rainbow Pride flag at the monument nor stated that they will permit the unofficial flag to remain at the monument. Defendants have also not rescinded their earlier decision to remove the official Pride flag.

97. Following the raising of the unofficial Rainbow Pride Flag, DOI said in a statement that the raising of the unofficial Pride flag amounted to “political pageantry” and that Defendants are going to continue to adhere to the existing rules, as arbitrarily interpreted by them, and “not make exceptions for Stonewall.” Noorulain Khawaja, *Advocates Bring Pride Flag Back To Stonewall*, NY1 (Feb. 12, 2026), <https://ny1.com/nyc/all-boroughs/news/2026/02/13/advocates-bring-pride-flag-back-to-stonewall> [<https://perma.cc/46UX-BCK8>].

#### *Pattern of Targeting the LGBTQ+ Community*

98. This is the second time in less than a year that the Trump administration has targeted LGBTQ+ recognition at the Stonewall National Monument.

99. In February 2025, the NPS removed any references to transgender people or gender identity from prominent sections of the monument’s website and other materials, as well as any storytelling that incorporates discussion of gender identity or a person’s experience, prompting hundreds of people to gather in protest at the monument. As a result, the NPS has sought to erase American history by erasing any mention of transgender people in relation to the Stonewall National Monument. *See* Juliana Kim, *Park Service Erases ‘Transgender’ On Stonewall Website*,

*Uses The Term ‘LGB’ Movement*, NPR (Feb. 14, 2025), <https://www.npr.org/2025/02/14/g-s1-48923/stonewallmonument-transgender-park-service> [<https://perma.cc/8ZXE-WUT9>].

100. The NPS removed numerous other websites related to LGBTQ+ history, such as “The Pride Guide,” “Philadelphia’s Heritage of LGBTQ Activism,” and websites that educated visitors about LGBTQ+ figures Marsha P. Johnson, Syliva Rivera, and Pauli Murray. *See* Press Release, *Parks Group Condemns Erasure of LGBTQ+ History from Park Service Website*, NPCA.org (Mar. 4, 2025), <https://www.npca.org/articles/7142-parks-group-condemns-erasure-of-lgbtq-history-from-park-service-website> [<https://perma.cc/F7F2-5S7A>].

101. In response to these actions, the Stonewall Inn and the Stonewall Inn Gives Back Initiative said in a statement: “This blatant act of erasure not only distorts the truth of our history, but it also dishonors the immense contributions of transgender individuals - especially transgender women of color - who were at the forefront of the Stonewall Riots and the broader fight for LGBTQ+ rights.” *See* Minyvonne Burke, *References To Transgender And Queer Removed From Stonewall National Monument’s Web Page*, NBC News (Feb. 14, 2025), <https://www.nbcnews.com/nbc-out/outnews/references-transgender-queer-removed-stonewall-monuments-webpage-rcna192204> [<https://perma.cc/MX9B-PFXC>].

102. The administration has also targeted Pride flags at other federal facilities, including through a State Department order requiring that only U.S. flags be flown at American embassies and consulates worldwide—a reversal from the prior administration’s practice of displaying Pride flags. Christine Hauser and Neil Vigdor, *Trump Administration Tells Embassies That ‘Activist’ Flags Won’t Fly*, N.Y. Times (Jan. 24, 2025), <https://www.nytimes.com/2025/01/24/us/embassy-us-flag-blm-gay-pride.html>.

103. The administration has also dismissed a former FBI agent for displaying a Progress Pride flag at his workstation. The agent had received the flag from the leadership of FBI's Los Angeles Field Office in recognition of his efforts to support the FBI's diversity initiatives.

104. Federal employees at multiple agencies were ordered to remove pronouns from their email signatures, a common means of promoting gender inclusion and fostering a respectful workplace by normalizing gender diversity and signaling support for transgender and non-binary colleagues.

105. Additionally, the administration has targeted the LGBTQ+ community in a litany of other ways, including: (a) the January 20, 2025, executive order purporting to repudiate the very existence of transgender people altogether by disclaiming that a person might have a gender identity different from their birth-assigned sex, which the order describes as a "false claim," rescinding protections for transgender people, and depriving them of access to services;<sup>2</sup> (b) the January 27, 2025, executive order banning transgender servicemembers from active duty, labeling them as incapable of an "honorable, truthful, and disciplined lifestyle," even in their personal lives, and describing them as having "false" identities "[in]consistent with the 'humility and selflessness required of a service member';"<sup>3</sup> (c) the January 28, 2025, executive order declaring it the "policy of the United States" not to "support the so-called 'transition' of a child from one sex to another," disparaging gender-affirming medical care as "destructive" and "maiming," and calling being

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<sup>2</sup> Exec. Order 14168, *Defending Women From Gender Ideology Extremism and Restoring Biological Truth to the Federal Government*, 90 Fed. Reg. 8615 (Jan. 20, 2025).

<sup>3</sup> Exec. Order 14183, *Prioritizing Military Excellence and Readiness*, 90 Fed. Reg. 8757 (Jan. 27, 2025).

transgender a “radical and false claim”;<sup>4</sup> and (d) February 5, 2025, executive order banning transgender athletes in government-funded sports activities.<sup>5</sup>

106. Likewise, the National Institutes of Health terminated hundreds of research grants relating to LGBTQ+ people because, according to the Administration, “research based on gender identity ... do[es] nothing to enhance the health of many Americans” and “ignore[s] biological realities.” *Am. Ass’n of Physicians for Hum. Rts., Inc. v. Nat’l Insts. of Health*, 795 F. Supp. 3d 678, 688, 696-97 (D. Md. 2025).

107. In one particularly absurd example, the Defense Department flagged for deletion from its materials images of the B-29 aircraft Enola Gay, the bomber which dropped the first atomic bomb on Hiroshima, Japan, apparently because it included the word “Gay.”

*Pattern of Selective Enforcement*

108. While erasing the LGBTQ+ community and targeting the Pride flag, NPS has permitted other non-agency flags.

109. For example, the NPS has had a longstanding policy permitting the display of Confederate flags and other symbols in cemeteries managed by NPS on certain days. Furthermore, the NPS permits display of Confederate flags for historical and interpretive purposes, for example at the Gettysburg National Military Park.

110. The NPS does not prohibit sales of Confederate flag merchandise at gift shops located on its premises; instead, it has merely requested that its vendors voluntarily withdraw such items from the shops. In contrast, NPS has ordered the removal of all products recognizing the identities of LGBTQ+ people from its gift shops.

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<sup>4</sup> Exec. Order 14187, *Protecting Children from Chemical and Surgical Mutilation*, 90 Fed. Reg. 8771 (Jan. 28, 2025).

<sup>5</sup> Exec. Order 14210, *Keeping Men Out of Women’s Sports*, 90 Fed. Reg. 9279 (Feb. 5, 2025).



111. The pattern demonstrates that the stated justifications for removal of the Pride flag are pretextual and that the true basis for the government’s actions is targeting LGBTQ+ people and LGBTQ+ history, not a neutral application of policies. The government has systematically removed content and symbols associated with the LGBTQ+ community’s identity and history—including the Pride flag, references to LGBTQ+ individuals, and LGBTQ+ educational materials—while preserving other non-agency displays.

*Injury to Plaintiffs*

112. The government’s removal of the official NPS-sanctioned Pride flag from the Stonewall National Monument causes ongoing injury to Plaintiffs.

113. Even with the new unofficial flag temporarily raised by private citizens, Plaintiffs remain injured.

114. The unofficial Pride flag raised by private citizens on February 12, 2026, was not authorized, installed, or maintained by NPS. The government has not rescinded its removal decision or authorized any Pride flag display at the monument. To the contrary, the government has explicitly disavowed it, reaffirmed the policy that led to the removal of the NPS-sanctioned Pride Flag, and stated that it will not make exceptions for Stonewall.

115. Plaintiffs challenge NPS’s removal of the official, NPS-authorized Pride flag that NPS rangers ceremonially installed on June 1, 2022, and NPS’s ongoing prohibition on officially displaying the Pride flag.

116. The Presidential Proclamation establishing the monument requires NPS—not private citizens—“to preserve and protect the objects of historic interest associated with the monument” and “interpret the monument’s objects, resources, and values related to the LGBT civil rights movement.” NPS cannot fulfill this mandatory duty by erasing a major and critical aspect

of the LGBTQ+ movement's struggle for equality, as symbolized by the Pride Flag for half a century. Nor can NPS circumvent this mandatory duty by merely temporarily tolerating a private display while denouncing the very presence of the Pride flag as "political pageantry" and prohibiting the presence of an NPS-sanctioned Pride Flag.

117. Plaintiffs seek NPS's official authorization, installation, and maintenance of the Pride flag as part of the monument's interpretive, historical program—not merely the physical presence of a flag raised by private citizens in protest of NPS policy.

118. Plaintiff Gilbert Baker Foundation suffered organizational harm as a result of destruction of resources the foundation expended on advocating for the Pride flag and continues to suffer an ongoing harm as a result of diversion of resources away from its educational and collaborative activities and towards the defensive activities in response to the flag removal as well as the unofficial replacement flag installed by community members.

119. Plaintiff Charles Beal suffers an aesthetic harm due to his inability during his regular visits to the monument to enjoy the aesthetic, educational, and historical experience the monument was designated to provide.

120. Plaintiff Village Preservation suffers organizational harm because the removal of the Flag undermines its achievement in establishing the National Monument, damages its education programming, undermines advocacy for other LGBTQ+ sites, and leads to diversion of resources.

121. Plaintiff Equality New York suffers organizational and associational harm because the removal of the Flag both undermines its efforts to educate about the history of the uprising, the role of transgender people in the uprising and in advancing equality, and the history and purpose of the National Monument itself, and deprives its members of the ability to experience the

monument with the full historical context and symbolism for which it was designated, causing its members aesthetic and informational injury.

122. Defendants' actions directly affect and interfere with the ability of Equality New York and its members from being able to utilize the Stonewall National Monument for its events, activism, and education programs in a manner that recognizes the importance of the Pride flag to the LGBTQ+ movement and that is as historically encompassing and accurate as possible.

123. Equality New York and its members, including Eunic Ortiz, Melissa Sklarz, and Tanya Asapansa Walker, specifically are deprived of the aesthetic and educational experience of observing the Pride flag at the birthplace of the LGBTQ+ rights movement during their regular visits to the monument.

124. All Plaintiffs suffer ongoing injury each day an NPS-sanctioned Pride flag remains absent from the monument.

125. These injuries are redressable by an order requiring Defendants to restore the Pride flag to the monument.

**COUNT ONE**  
**Violation of the Administrative Procedure Act**  
**(§ 706(2)(A) — Arbitrary and Capricious)**

126. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

127. The APA provides that a reviewing court shall “hold unlawful and set aside agency action, findings, and conclusions found to be arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.” 5 U.S.C. § 706(2)(A).

128. Agency action is arbitrary and capricious if the agency “entirely failed to consider an important aspect of the problem, offered an explanation for its decision that runs counter to the

evidence before the agency, or is so implausible that it could not be ascribed to a difference in view or the product of agency expertise.” *Motor Vehicle Mfrs. Ass’n v. State Farm Mut. Auto. Ins. Co.*, 463 U.S. 29, 43 (1983). An agency also acts arbitrarily when it “ignore[s] its own regulations and policies.” *Sierra Club v. U.S. Army Corps of Eng’rs*, 645 F.3d 978, 995 (8th Cir. 2011).

129. Defendants’ removal of the Pride flag from the Stonewall National Monument was arbitrary and capricious for two independent reasons: (1) it was based on a flawed interpretation of their own policies, and (2) the reasons provided by the agency were pretextual.

*Defendants Misinterpreted Their Own Policies.*

130. Defendants claim that the Pride flag was removed from the Stonewall National Monument to “ensure consistency” with guidance regarding flag displays on NPS-managed flagpoles. This explanation does not hold up to scrutiny.

131. According to NPS, flag displays are governed by 310 DM 5—the Policy—and the January 21, 2026 memorandum—the Directive.

132. But neither guidance document requires the removal of the Pride flag from Stonewall:

- a. The Policy permits officials to “authorize the flying of flags and pennants, other than [U.S. and DOI flags], as appropriate, provided flags and flagpole space are available for this purpose.” Ex. C. at 6.
- b. The Directive provides an exemption for flags that “provide historical context.” Ex. B. at 3.

133. The conditions laid out in the Policy and the Directive were all satisfied here:

- a. Flagpole space and flags were available.

- b. The Pride flag—a universally recognized symbol of the LGBTQ+ community—provides historical context for the first national monument dedicated to LGBTQ+ history and rights. *See* Ex. A (NPS stating that “[a]s an agency, we recognize the significance of the rainbow flag to Stonewall National Monument and the community.”); *see also* Presidential Proclamation 9465 (stating that the purpose of the designation was to “to preserve and protect the objects of historic interest associated with the monument” and “interpret the monument’s objects, resources, and values related to the LGBT civil rights movement”).

134. Therefore, under the policies that they are purporting to be implementing, Defendants had discretion to allow the Pride flag to be displayed at the Stonewall memorial. This is exactly what NPS did in 2022. *See* Ex. A.

135. In other words, removal of the flag was not required to “ensure consistency” with Defendants’ regulations, contrary to Defendants’ statements.

136. Accordingly, to the extent Defendants’ actions were driven by a mistaken or incorrect belief that they were required under their policies, they were arbitrary and capricious. *See United States v. Int’l Bhd. of Teamsters*, 170 F.3d 136, 143 (2d Cir. 1999) (when an agency acts “as a result of an exercise of discretion that is impermissibly limited as a result of a mistaken view by the agency as to the scope of its discretion . . . there has been a misunderstanding of law” and the action is “arbitrary and capricious”).

*Defendants’ Reasons Were Pretextual.*

137. Separately, Defendants’ removal of the flag is arbitrary and capricious because their reasons for it were pretextual.

138. As detailed above, the removal of the Pride flag is one of a long list of anti-LGBTQ+ actions taken by the administration in the last year, including at Stonewall. *See supra* ¶¶ 98–107. These actions alone support a strong inference of animus against the LGBTQ+ community and that Defendants’ reasons for removing the flag were pretextual.

139. The inference of animus is further strengthened by the targeting of enforcement: not exercising discretion with respect to an LGBTQ+ symbol while permitting other non-agency flags under the “historical context” exemption, such as Confederate flags. *See supra* ¶¶ 108–111.

140. Because Defendants’ reasons were pretextual and based on an impermissible reason, *i.e.*, animus toward the LGBTQ+ community, they are arbitrary and capricious. *See Dep’t of Com. v. New York*, 588 U.S. 752, 784 (2019).

141. For these reasons, Defendants’ actions violate the APA.

## **COUNT TWO**

### **Violation of the Administrative Procedure Act (§ 706(2)(A) and (C) — Arbitrary and Capricious, Contrary to Law) Contrary to Presidential Proclamation and the Foundation Document**

142. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

143. Presidential Proclamations issued under the Antiquities Act have the force and effect of law. *See Cameron v. United States*, 252 U.S. 450, 455 (1920).

144. On June 24, 2016, President Barack Obama issued Presidential Proclamation 9465, 81 Fed. Reg. 42215 (June 29, 2016), establishing the Stonewall National Monument under the authority of the Antiquities Act, 54 U.S.C. § 320301.

145. The Proclamation mandates that the Secretary of the Interior “shall manage the monument through the National Park Service, pursuant to applicable legal authorities, consistent with the purposes and provisions of this proclamation.” 81 Fed. Reg. 42215. 42218.

146. The Proclamation further mandates that the Secretary “shall prepare a management plan, with full public involvement and in coordination with the City shall ensure that the monument fulfills the following purposes for the benefit of present and future generations: (1) to preserve and protect the objects of historic interest associated with the monument, and (2) to interpret the monument’s objects, resources, and values related to the LGBT civil rights movement.” *Id.*

147. In May 2019, after consultation with community partners, the NPS issued the Foundation Document for the Stonewall National Monument (the “Foundation Document”). *See* Ex. D. The Foundation Document sets out the monument’s purpose, significance, fundamental resources and values, and interpretive themes.

148. The Foundation Document is “an adequate basis upon which to consider NPS’s change in policy.” *City of Phila. v. Burgum*, No. 26 Civ. 464 (CMR), ECF No. 53 at 31 (E.D. Pa. Feb. 16, 2026).

149. According to the Foundation Document, the “purpose of Stonewall National Monument is to preserve and protect Christopher Park and the historic resources associated with it and to interpret the Stonewall National Historic Landmark’s resources and values related to the lesbian, gay, bisexual, and transgender civil rights movement.” *Id.* at 9.

150. The Foundation Document further explains that the “Stonewall National Monument commemorates an event that symbolizes decades of personal sacrifice, protests, and political and legal advocacy by LGBTQ people that continue to inspire and bring attention to the ongoing pursuit for civil rights and equality on the basis of sexual orientation and gender identity and expression.” *Id.* at 10.

151. One of the fundamental resources and values identified in the Foundation Document is a “National Stage for Public Expression, Commemoration, and Public Engagement,”

specifically, “learning opportunities to raise public awareness about LGBTQ history, the effects of injustice, and foster an interest in preserving the monument’s resources and lessons.” *Id.* at 11.

152. The Foundation Document also explains that the interpretive themes of the monument include “LGBTQ Civil Right Movement” and its legacy. *Id.* at 12.

153. For nearly half a century, the Pride flag has served not only as a symbol for the LGBTQ+ movement, but as a direct way to express presence and identity. The Pride flag’s very presence is synonymous with the history and values related to the LGBTQ+ civil rights movement.

154. The NPS indeed previously recognized the “the significance of the rainbow flag to Stonewall National Monument and the community” when it approved and installed a new permanent flagpole inside the monument specifically for the purpose of flying the Pride flag. *See* Ex. A.

155. The targeted removal of the Pride flag is in direct contradiction with the LGBTQ+ civil rights movement.

156. Defendants thus acted arbitrarily and capriciously and in violation of the proclamation and the Foundation Document by failing to account for the Pride flag’s importance to the LGBTQ+ movement or considering how the removal of the flag would serve the monument’s purpose “to interpret the monument’s objects, resources, and values related to the LGBT civil rights movement.”

157. Furthermore, the proclamation commanded that the Secretary’s management plan consider “full public involvement.” 81. Fed. Reg. 42215, 42218. To the extent the government’s removal of the flag represents a shift in the management plan of the Stonewall National Monument to something other than the Foundation Document, Defendants have not prepared a new management plan with “full public involvement.”



158. Plaintiffs represent knowledgeable members of the LGBTQ+ community whose views on “the monument’s objects, resources, and values related to the LGBT civil rights movement” should have been, and have not been, considered.

159. Defendants thus acted arbitrarily and capriciously and in violation of the proclamation by failing to consult with the public to the extent their actions were based on an unannounced shift away from the monument’s Foundation Document.

**COUNT THREE**  
**Violation of the Administrative Procedure Act**  
**(§ 706(2)(A) and (C) — Contrary to Law)**  
**Violation of the National Historic Preservation Act**

160. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

161. Section 106 of the National Historic Preservation Act requires federal agencies to “take into account the effect of the undertaking on any historic property” before approving any undertaking. 54 U.S.C. § 306108.

162. Section 106 implementing regulations define an “undertaking” as “a project, activity, or program funded in whole or in part under the direct or indirect jurisdiction of a Federal agency, including those carried out by or on behalf of a Federal agency; those carried out with Federal financial assistance; and those requiring a Federal permit, license or approval.” 36 C.F.R. § 800.16(y).

163. The regulations require agencies to assess whether an action will have an “adverse effect” on a historic property, including effects on the property’s “location, design, setting, materials, workmanship, feeling, or association.” 36 C.F.R. § 800.5(a)(1). Examples of adverse effects include “[c]hange of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance.” *Id.* § 800.5(a)(2)(iv).

164. When an adverse effect is found, agencies must consult with the State Historic Preservation Officer, the Advisory Council on Historic Preservation, and other consulting parties to resolve the adverse effect. 36 C.F.R. § 800.6.

165. Stonewall National Monument is a historic property: (a) it was listed on the National Register of Historic Places in 1999; (b) it was designated as a National Historic Landmark in 2000; and (c) it was designated as a National Monument in 2016 specifically for its association with LGBTQ+ history.

166. The Pride flag has been part of the monument's setting since its designation or shortly thereafter and contributes to the monument's "feeling" and "association" with LGBTQ+ history and the Pride movement and thus to its "historic significance." 36 C.F.R. § 800.5(a)(1), (a)(2)(iv).

167. The NPS's removal of the Pride flag is an "undertaking" within the meaning of Section 106 because it is a federal "activity" that that is under "direct . . . jurisdiction of a Federal agency" and "carried out by . . . a Federal agency," namely, the DOI and the NPS. 36 C.F.R. § 800.16(y).

168. The removal has an "adverse effect" on the monument because it alters the property's "feeling" and "association" with LGBTQ+ history in a manner that diminishes the monument's "historic significance" as the first national site dedicated to commemorating the LGBTQ+ rights movement. 36 C.F.R. § 800.5(a)(1), (a)(2)(iv).

169. Upon information and belief, Defendants failed to comply with Section 106 before removing the Pride flag. Specifically, Defendants failed to:

- a. Assess whether the removal would have an adverse effect on the historic property;

- b. Consult with the New York State Historic Preservation Officer;
- c. Consult with the Advisory Council on Historic Preservation;
- d. Provide opportunity for public input on the proposed action;
- e. Consider alternatives to removal; or
- f. Seek ways to avoid, minimize, or mitigate adverse effects.

170. Section 106's procedural requirements are mandatory. Agencies must comply with these procedures before taking actions that affect historic properties.

171. Defendants' failure to comply with Section 106 renders their action not in accordance with law under 5 U.S.C. § 706(2)(A) and contrary to law under 5 U.S.C. § 706(2)(C).

**COUNT FOUR**  
**Declaratory Judgment Act**  
**(28 U.S.C. §§ 2201 and 2202)**

172. Plaintiffs incorporate by reference the allegations set forth in each of the preceding paragraphs of this Complaint.

173. Plaintiffs are entitled to declaratory relief on the basis of all claims identified. There is a substantial and ongoing controversy between Plaintiffs and Defendants, and a declaration of rights under the Declaratory Judgment Act is both necessary and appropriate to establish that Defendants' removal of the Pride flag from the Stonewall National Monument violated the APA.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs respectfully request that this Court:

- a. Declare that Defendants' removal of the Pride flag from the Stonewall National Monument was arbitrary and capricious, and contrary to law;
- b. Vacate the decision to remove the official NPS Pride flag from the Stonewall National Monument;

- c. Order Defendants to immediately restore the official NPS Pride flag to the Stonewall National Monument;
- d. Permanently enjoin Defendants from removing the flag without, at minimum, complying with Section 106 of the National Historic Preservation Act;
- e. Award Plaintiffs their costs and reasonable attorneys' fees pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, and any other applicable provision of law; and
- f. Grant such other and further relief as the Court deems just and proper.

Dated: February 17, 2026  
Washington, DC

Respectfully submitted,

**WASHINGTON LITIGATION GROUP**

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*Counsel for Plaintiffs*

*\*Pro Hac Vice applications forthcoming*

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York; practicing under the supervision of  
D.C. Bar members*

# **Exhibit A**



## United States Department of the Interior



NATIONAL PARK SERVICE  
Interior Region 1  
North Atlantic-Appalachian  
1234 Market Street, 20<sup>th</sup> Floor  
Philadelphia, PA 19107

IN REPLY REFER TO:

1.A.2. (STON)

September 17, 2021

Mr. Michael Petrelis  
San Francisco, California  
Mpetrelis@aol.com

Dear Mr. Petrelis:

Thank you for your letter dated June 3, 2021, to Secretary of the Interior Deb Haaland regarding the flagpole near Christopher Park, which is located within the Stonewall National Monument boundary. Your letter has been forwarded to me for a response. I have been asked to convey appreciation for your kind words about the Secretary's confirmation and how grateful the Secretary is for this opportunity to serve.

On June 24, 2016, President Barack Obama issued Presidential Proclamation 9465, establishing the Stonewall National Monument in New York, NY. The proclamation establishes a national monument boundary encompassing 7.70 acres of land, which includes public and privately owned property (such as the Stonewall Inn and nearby city streets) that is identical to the boundary of the Stonewall National Historic Landmark. The federally owned property within the monument boundary consists of the 0.12-acre parcel of land known as Christopher Park. This property was donated to the Federal Government by the City of New York in 2016 and does not include the flagpole near Christopher Park. This boundary has not changed since the national monument's establishment.

Although the flagpole near Christopher Park is located within the boundary of the Stonewall National Monument, the parcel of land on which it stands does not legally belong to the National Park Service (NPS). This parcel of land and the flagpole is owned and managed by New York City. Therefore, the NPS does not have the legal authority to manage or to conduct operations on this property.

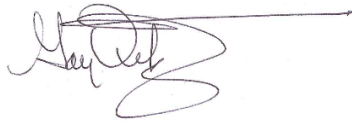
Since the establishment of Stonewall National Monument in 2016, our purpose is to preserve and interpret resources associated with the Stonewall Uprising or Rebellion, a momentous event in the history of the civil rights movement for the LGBTQ+ community. The NPS is committed to providing a positive and inclusive environment at Stonewall National Monument for our visitors and neighbors that reflect and support the LGBTQ+ community.

As an agency, we recognize the significance of the rainbow flag to Stonewall National Monument and the community. Over the past several months, local park management installed a temporary flagpole, and the rainbow flag is proudly flown for the public to enjoy. We are also delighted to advise that the park received a generous donation from the National Park Foundation and a portion of those funds have been committed towards the installation of a flagpole that will complement the historic iron fence surrounding the federally owned Christopher Park. This new

flagpole will be permanently located front and center in the beautiful gardens inside Christopher Park.

We thank you for your interest in the National Park Service, specifically Stonewall National Monument. If you require further information, please contact Manhattan Sites Superintendent Shirley McKinney at (212) 825-6991 or [Shirley\\_mckinney@nps.gov](mailto:Shirley_mckinney@nps.gov).

Sincerely,

A handwritten signature in purple ink, appearing to read "Gay Vietzke", with a long horizontal line extending to the right.

Gay Vietzke  
Regional Director



# **Exhibit B**



# United States Department of the Interior

## NATIONAL PARK SERVICE

1849 C Street, NW  
Washington, DC 20240

### Memorandum

To: Regional Directors  
Superintendents

From: Comptroller, Exercising the Delegated Authority of the Director

JESSICA  
BOWRON

Digitally signed by  
JESSICA BOWRON  
Date: 2026.01.21  
17:50:04 -05'00'

Subject: Guidance on the Display and Flying of Non-Agency Flags and Pennants within the National Park System

### **Purpose and Duration**

The purpose of this memorandum is to provide guidance to superintendents and site managers on policies and procedures for the display and flying of non-agency flags and pennants. As used in this memorandum, non-agency flags and pennants are defined as flags and pennants that are not (1) the United States of America flag or (2) flags of the Department of the Interior (DOI) as defined in [310 DM 5](#). This memorandum covers both internal and external requests related to flags and pennants.

Our parks and programs occupy General Services Administration (GSA), DOI, and other agency facilities. In some cases, we are not responsible for the flags or pennants flown at those locations. The intent of this guidance is to address flags and pennants flown by the National Park Service (NPS) in public spaces where the NPS is responsible for the upkeep, maintenance, and operation of the flag and flagpole. This responsibility may be delegated to the NPS by another agency, such as the GSA.

This policy does not supersede or amend the policies and procedures in [Director's Order #61](#), [National Cemetery Operations](#), or the associated [Reference Manual 61](#) (RM-61), that govern the NPS management of 14 national cemeteries.

This guidance will remain in effect until superseded.

### **Policy**

Departmental policy on displaying and flying flags is found at [310 DM 5](#). It is DOI policy that bureaus and offices will display and use the U.S. flag as required by the Joint Resolution of June 22, 1942, as amended; [Presidential Proclamation 3044](#) dated March 1, 1954; [4 USC 1-10](#); and [36 USC 173-178](#). The DOI policy for displaying and using the U.S. flag is supplemented by GSA regulations, which govern the display or flying of the U.S. flag at GSA controlled installations. The displaying of the POW/MIA flag is governed by [36 USC 902](#) and [41 CFR 102-74.35](#). In addition, there are instances where a park's enabling legislation may address flags.

This memorandum is not intended to supersede or replace those laws, regulations, or policies. Additional guidance related to flags can be found under the Index of Policy Topics (see Flag Protocol) on the Office of Policy [website](#).

Subject to the below exemptions, only the U.S. Flag, flags of the DOI, and the POW/MIA flag will be flown by the NPS in public spaces where the NPS is responsible for the upkeep, maintenance, and operation of the flag and flagpole.

Per GSA [guidance](#) issued in 2023, flagpoles at buildings under the jurisdiction, custody, or control of the GSA are not intended to serve as a forum for free expression by the public. Rather, approved non-agency flags and pennants may be flown as an expression of the Federal Government's official sentiments, to promote a Federal agency-approved program, to adopt or support a Federal agency policy, or for a specific special occasion. Flagpoles at buildings under the jurisdiction, custody, or control of DOI are also not intended to serve as a forum for free expression by the public.

### **Exemptions**

The flying of non-agency flags and pennants within units of the National Park System on flagpoles, buildings, or other points of display managed, co-managed, or controlled by the NPS that fall under the following categories may also be permitted. These categories include flags and pennants that:

- provide historical context, such as earlier version of the U.S. flag at a historic fort;
- are part of historic reenactments or living history programs;
- are current military branch flags;
- are the flags of federally recognized Tribal nations affiliated with the park;
- are at sites co-managed by other Federal agencies (e.g., Manhattan Project National Historical Park) that may fly relevant non-DOI agency flags;
- are at sites co-managed by a State (e.g., Redwood National and State Park) or city (e.g., Waco Mammoth National Monument) that may fly that State's or city's relevant flag;
- are part of parks with international park designations (e.g., Saint Croix Island International Historic Site) that may fly relevant foreign flags; or
- are provided by agreement between the NPS and the U.S. Citizenship and Immigration Services related to Naturalization ceremonies.

### **For Further Information**

Questions about this guidance should be sent to the Associate Director, Visitor and Resource Protection, at [NPSADVisitor\\_ResourceProtection@nps.gov](mailto:NPSADVisitor_ResourceProtection@nps.gov).

# Exhibit C

## Department of the Interior Departmental Manual

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**Effective Date:** 6/23/17

**Series:** Administrative Services

**Part 310:** General

**Chapter 5:** Flags

**Originating Office:** Office of Facilities and Administrative Services

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### 310 DM 5

5.1 **Purpose.** This chapter provides Department of the Interior (DOI) policy for displaying and flying the United States Flag (U.S. flag) and authorized flags representing DOI.

5.2 **Responsibilities.**

A. The Office of Facilities and Administrative Services (OFAS) is responsible for establishing and disseminating DOI policy and guidance regarding flags.

B. Bureaus/Offices are responsible for flying flags in accordance with the policy in this chapter.

5.3 **Flag of the United States of America.**

A. Policy.

(1) Bureaus/Offices will display and use the U.S. flag as required by the Joint Resolution of June 22, 1942, as amended; Presidential Proclamation 3044 dated March 1, 1954; Public Law 94-344; and 36 U.S.C. §§173-178. The DOI policy for displaying and using the U.S. flag is supplemented by General Services Administration (GSA) regulations, which govern the display or flying of the U.S. flag at GSA controlled installations.

(2) The U.S. flag should be flown in accordance with 36 U.S.C. §174. The U.S. flag should be displayed in the Offices of the Secretary, Solicitor, Assistant Secretaries, Inspector General, and the headquarters and regional headquarters offices of bureaus/offices. It should also be displayed or flown at official functions and special occasions, such as dedications, ceremonies, press conferences, etc.

B. Flying and Displaying the U.S. Flag. The position and manner of displaying the U.S. flag will be in accordance with 36 U.S.C. §175, which outlines common use requirements.

Generally, when the U.S. flag is displayed with other flags on separate staffs, it will be on the right, i.e., the flag's right (viewers left). No other flag may be placed higher than the U.S. flag as shown in Illustration I.

C. Specifications. The height of a flagpole and whether it is a ground pole or a roof pole determines the size of the flag to be flown. The following serves as a guide:

| <b>FLAGPOLE SPECIFICATIONS</b> |                              |
|--------------------------------|------------------------------|
| <b>Ground Flagpoles</b>        |                              |
| Height (in feet)               | Flag Size*                   |
| 30                             | 3' 6" hoist x 6' 7 3/4" fly  |
| 40                             | 5' hoist x 9' 6" fly         |
| 50                             | 5' hoist x 9' 6" fly         |
| 60                             | 8' 11 3/8" hoist x 17' fly** |
| <b>Roof Flagpoles</b>          |                              |
| 20                             | 3' 6" hoist x 6' 7 3/4" fly  |
| 30                             | 5' hoist x 9' 6" fly         |
| 40                             | 5' hoist x 9' 6" fly         |
| 50                             | 8' 11 3/8" hoist x 17' fly** |
| 60                             | 8' 11 3/8" hoist x 17' fly** |

\* Sizes as listed in GSA Catalog.

\*\* When more than one flag is flown on the same pole, it may be advisable to fly a smaller size flag. Other flags, however, may not exceed the size of the U.S. flag.

D. Half-Staffing. The U.S. flag will be flown at half-staff on occasions specified in Presidential Proclamation 3044, and when so directed by the Secretary of the Interior.

(1) The OFAS will notify bureau headquarters offices of occasions when half-staffing is required.

(2) Bureaus should disseminate the information contained in Presidential Proclamation 3044 to all field activities that have flag flying responsibility and establish internal notification procedures to ensure compliance with half-staffing requirements. Bureau headquarters offices will notify affected field activities on these occasions.

E. Unserviceable Flags. Torn, frayed, soiled, or otherwise damaged flags are unserviceable and will not be flown. Flags should be inspected daily before being raised for the day. Unserviceable flags may not be discarded in the trash, but will be disposed of by burning, out of public view, and in a manner that does not constitute a fire hazard.

F. Procurement. The U.S. flag may be purchased through GSA Federal Supply Sources.

#### 5.4 **Flags of the Department of the Interior.**

A. The Department of the Interior Flag (Department Flag). The Department flag will be displayed or flown only in conjunction with the U.S. flag and only as specified in this chapter.

(1) Displaying and Flying the Department Flag.

(a) DOI-controlled Installations. The Department flag will be flown in conjunction with the U.S. flag at the entrance to, near, or over the main administration and headquarters buildings at all DOI-controlled installations. The flag should be displayed as required in paragraph 5.3A (2) above.

(b) GSA-controlled Installations. GSA's Public Building Service is responsible for displaying and flying flags at GSA-controlled buildings. For special occasions, approval may be obtained from the appropriate GSA Regional Office to fly the Department flag at the entrance to, near, or over DOI-occupied buildings under GSA control.

(c) Leased Facilities. The Department flag will be flown at leased facilities that are solely occupied by DOI, where leasing arrangements (and GSA policy) permit.

(2) Description. The official Department flag is 5 feet 5 inches on the hoist by 9 feet 6 inches on the fly. As shown in Illustration II, the color is light blue and white, arranged in four alternate triangles. The four quadrants represent the original major activities of the Department: Fish and Wildlife, Mineral Resources, Water and Power, and Public Land Management. In the center of the flag is the Departmental seal, 26 inches in diameter.

(a) Indoor Flag. The flag for inside use is made of nylon cloth, with a pole hem and leather tabs, and trimmed on three sides with gold-colored fringe 22 inches wide. The flag will be mounted on a staff surmounted by a gold spread eagle.

(b) Outdoor Flag. The flag for outside use is made of nylon without gold-colored fringe. This flag is complete with a canvas heading and metal grommets.

(c) Department Vessel Flag. The vessel flag is 22 inches on the hoist by 32 inches on the fly and is fabricated from nylon cloth.

(3) Procurement. Department flags may be purchased from OFAS for authorized use only.

B. Secretary of the Interior Flag. The Secretary's flag is significant of the rank or office of the Secretary of the Interior. It may be displayed only in the Secretary's office or in the Secretary's immediate presence, such as on an automobile in which the Secretary is a passenger, or at functions at which the Secretary is present. At the Secretary's direction, it may be flown over DOI-controlled buildings in which the Secretary is present. At the written request of the Secretary and with the written concurrence of the appropriate GSA Regional Administrator, the Secretary's flag may be flown over GSA-controlled buildings when the Secretary is present.

C. Secretary's Ceremonial Flag. The ceremonial flag of the Secretary of the Interior is 4 feet 5 inches on the hoist by 5 feet 6 inches on the fly and made of oriental blue nylon cloth. It is made with a pole hem and leather tabs and trimmed on three sides by gold-colored fringe 22 inches wide. In the center of the flag is the official DOI seal, 26 inches in diameter. Extending across from the left are seven stars, three above and four below the seal. Each star has 5 points and is 5 inches in diameter with one point upward. The stars represent the seven principal activities of DOI at the time the flag was adopted. These seven activities are: Bureau of Indian Affairs, Bureau of Reclamation, National Park Service, Bureau of Land Management, Bureau of Mines, U.S. Geological Survey, and U.S. Fish and Wildlife Service. The flag is mounted on a staff surmounted by a gold spread eagle and decorated by a gold-colored cord with tassels at each end.

D. Deputy Secretary of the Interior Flag. The ceremonial flag of the Deputy Secretary of the Interior is identical to that of the Secretary, except that the flag background is white and the stars are blue. It is made with pole hem and leather tabs, and trimmed on three sides by gold-colored fringe 22 inches wide. The flag is for indoor display only, in the immediate office of the Deputy Secretary, and at official functions and ceremonies at which the Deputy Secretary is the principal speaker.

E. Assistant Secretary Flag. The flag of the Assistant Secretaries is identical to the flag of the Deputy Secretary except that the flag is trimmed on three sides by blue-colored fringe 22 inches wide. The flag is for indoor display only in the offices of the Assistant Secretaries and at official functions and ceremonies at which an Assistant Secretary is the principal speaker.

F. Bureau Flags. Bureaus that have authorized flags will issue directives governing the policy, custody, and use of such flags in accordance with the provisions of this chapter. Bureaus must submit design modifications of existing bureau flags and proposed designs for new flags authorized by statute to the Director, OFAS for review.

(1) Bureau flags may be displayed in conjunction with the U.S. and Department flags in headquarters and regional headquarters offices occupied by officials at the level of Regional Director or above and at official ceremonies and functions of the bureau when the general public is present.



(2) Bureau flags may not be displayed higher than the U.S. or Department flag.

(3) Bureau flags may be flown at facilities which are solely occupied by the bureau, provided the U.S. and Department flags are also flown on separate flagpoles, if an additional flagpole is available for this purpose.

#### 5.5 Protocol for United States and Department of the Interior Flags.

A. Display of the U.S. flag with various DOI flags will be in the following order:

- (1) United States flag.
- (2) Department of the Interior flag.
- (3) Secretary of the Interior flag (when the Secretary is present).
- (4) Deputy Secretary flag (when the Deputy Secretary is present).
- (5) Assistant Secretary flag (when an Assistant Secretary is present).
- (6) Bureau flag(s).

B. When displaying flags of the various agencies or equivalent, the protocol is established by the Department of State.

**5.6 Other Flags and Pennants.** The Director, OFAS (for DOI-operated and leased space) and the Regional Administrator or other appropriate GSA official (for space operated or leased by GSA and operated by the building owner) may authorize the flying of flags and pennants, other than those described in this chapter, as appropriate, provided flags and flagpole space are available for this purpose.

A. Foreign Flags. Foreign flags are flown on individual staffs at the same height as and to the right of the U.S. flag, as shown in Illustration I.

B. State Flags. State flags may be flown on the anniversary of statehood, on state holidays and on other special occasions, at the request of the State government or with permission from OFAS.

C. City Flags. City flags may be flown on the anniversary of the founding of the city and on special occasions, at the request of the City government or with permission from OFAS.

D. Bureau Flags. The order of protocol for bureau flags not covered in this chapter is as follows:

- (1) U.S. flag;

(2) Department flag; and

(3) Bureau flags (Bureau flags may not be larger than or flown higher than the U.S. or Department flags).

# Exhibit D



NATIONAL PARK SERVICE • U.S. DEPARTMENT OF THE INTERIOR



# Foundation Document Stonewall National Monument

New York

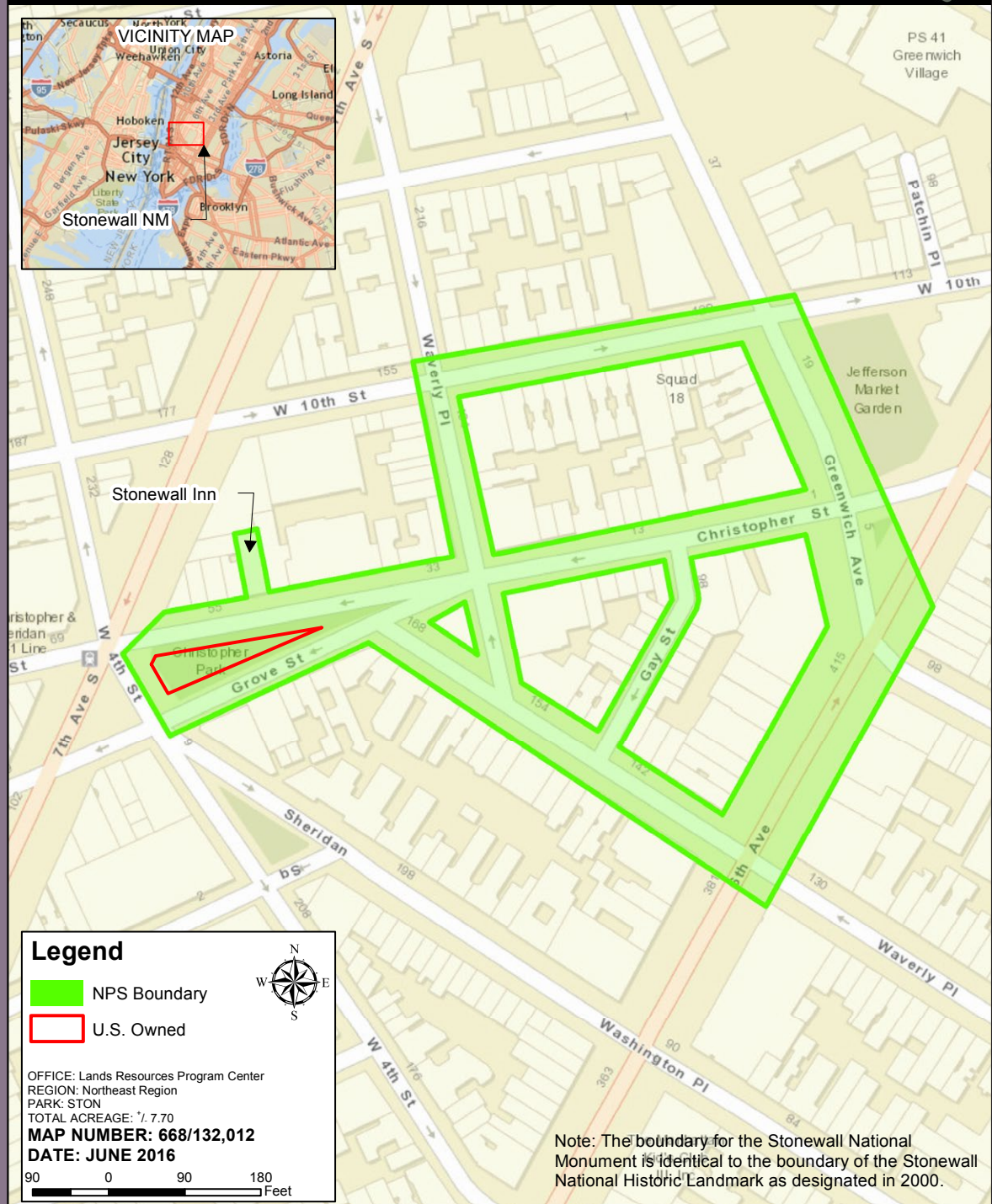
May 2019





# Stonewall National Monument Boundary

National Park Service  
U.S. Department of the Interior



## Legend

- NPS Boundary
- U.S. Owned



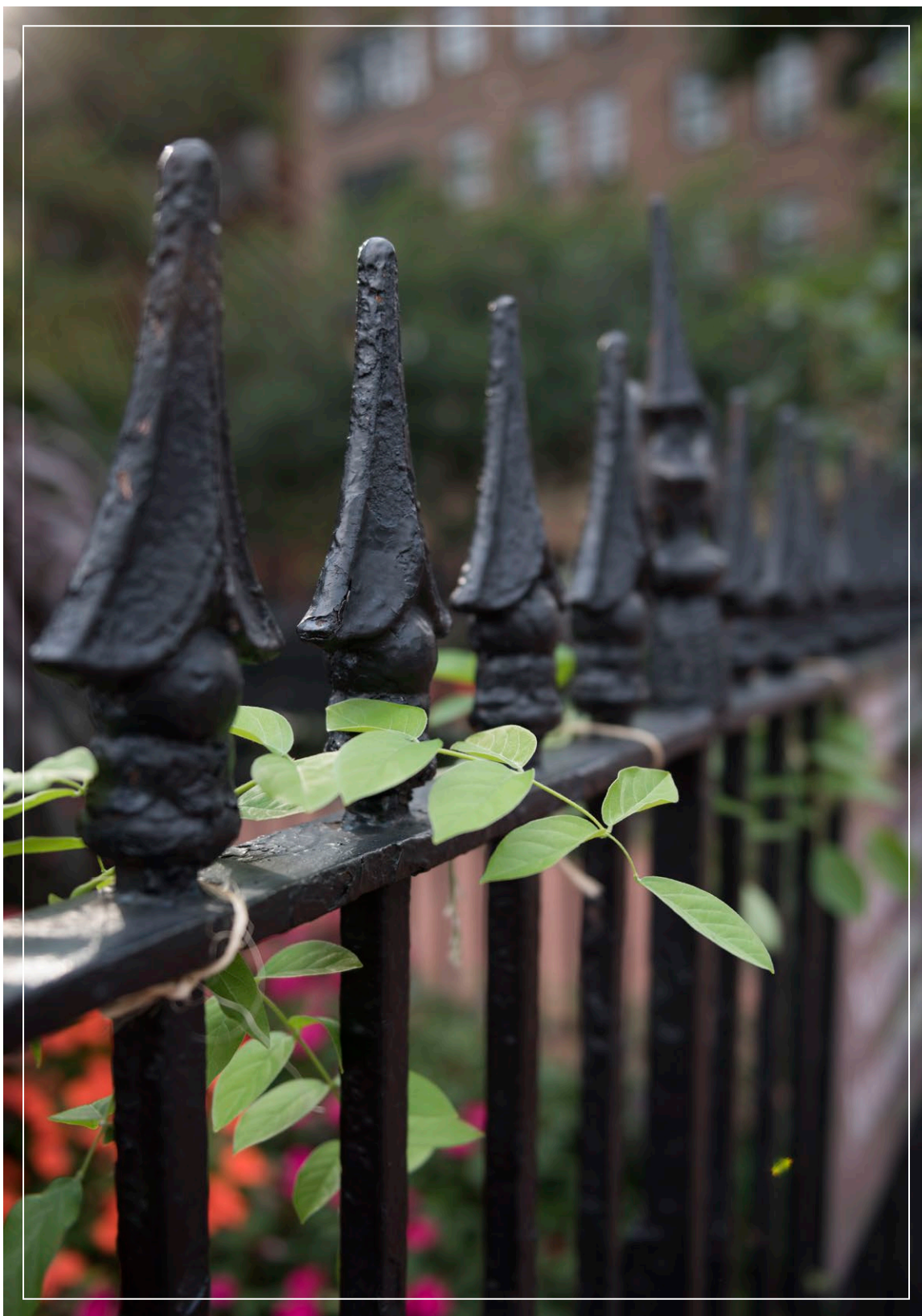
OFFICE: Lands Resources Program Center  
REGION: Northeast Region  
PARK: STON  
TOTAL ACREAGE: 7.70  
**MAP NUMBER: 668/132,012**  
**DATE: JUNE 2016**

90 0 90 180  
Feet

Note: The boundary for the Stonewall National Monument is identical to the boundary of the Stonewall National Historic Landmark as designated in 2000.

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## Mission of the National Park Service

The National Park Service (NPS) preserves unimpaired the natural and cultural resources and values of the national park system for the enjoyment, education, and inspiration of this and future generations. The National Park Service cooperates with partners to extend the benefits of natural and cultural resource conservation and outdoor recreation throughout this country and the world.

The NPS core values are a framework in which the National Park Service accomplishes its mission. They express the manner in which, both individually and collectively, the National Park Service pursues its mission. The NPS core values are:

- **Shared stewardship:** We share a commitment to resource stewardship with the global preservation community.
- **Excellence:** We strive continually to learn and improve so that we may achieve the highest ideals of public service.
- **Integrity:** We deal honestly and fairly with the public and one another.
- **Tradition:** We are proud of it; we learn from it; we are not bound by it.
- **Respect:** We embrace each other's differences so that we may enrich the well-being of everyone.

The National Park Service is a bureau within the Department of the Interior. While numerous national park system units were created prior to 1916, it was not until August 25, 1916, that President Woodrow Wilson signed the National Park Service Organic Act formally establishing the National Park Service.

The national park system continues to grow and comprises more than 400 park units covering more than 84 million acres in every state, the District of Columbia, American Samoa, Guam, Puerto Rico, and the Virgin Islands. These units include, but are not limited to, national parks, monuments, battlefields, military parks, historical parks, historic sites, lakeshores, seashores, recreation areas, scenic rivers and trails, and the White House. The variety and diversity of park units throughout the nation require a strong commitment to resource stewardship and management to ensure both the protection and enjoyment of these resources for future generations.



*The arrowhead was authorized as the official National Park Service emblem by the Secretary of the Interior on July 20, 1951. The sequoia tree and bison represent vegetation and wildlife, the mountains and water represent scenic and recreational values, and the arrowhead represents historical and archeological values.*



## Introduction

Every unit of the national park system will have a foundational document to provide basic guidance for planning and management decisions—a foundation for planning and management. The core components of a foundation document include a brief description of the park as well as the park’s purpose, significance, fundamental resources and values, and interpretive themes. The foundation document also includes special mandates and administrative commitments, an assessment of planning and data needs that identifies planning issues, planning products to be developed, and the associated studies and data required for park planning. Along with the core components, the assessment provides a focus for park planning activities and establishes a baseline from which planning documents are developed.

A primary benefit of developing a foundation document is the opportunity to integrate and coordinate all kinds and levels of planning from a single, shared understanding of what is most important about the park. The process of developing a foundation document begins with gathering and integrating information about the park. Next, this information is refined and focused to determine what the most important attributes of the park are. The process of preparing a foundation document aids park managers, staff, and the public in identifying and clearly stating in one document the essential information that is necessary for park management to consider when determining future planning efforts, outlining key planning issues, and protecting resources and values that are integral to park purpose and identity.

While not included in this document, a park atlas is also part of a foundation project. The atlas is a series of maps compiled from available geographic information system (GIS) data on natural and cultural resources, visitor use patterns, facilities, and other topics. It serves as a GIS-based support tool for planning and park operations. The atlas is published as a (hard copy) paper product and as geospatial data for use in a web mapping environment. The park atlas for Stonewall National Monument can be accessed online at: <http://insideparkatlas.nps.gov/>.





## Part 1: Core Components

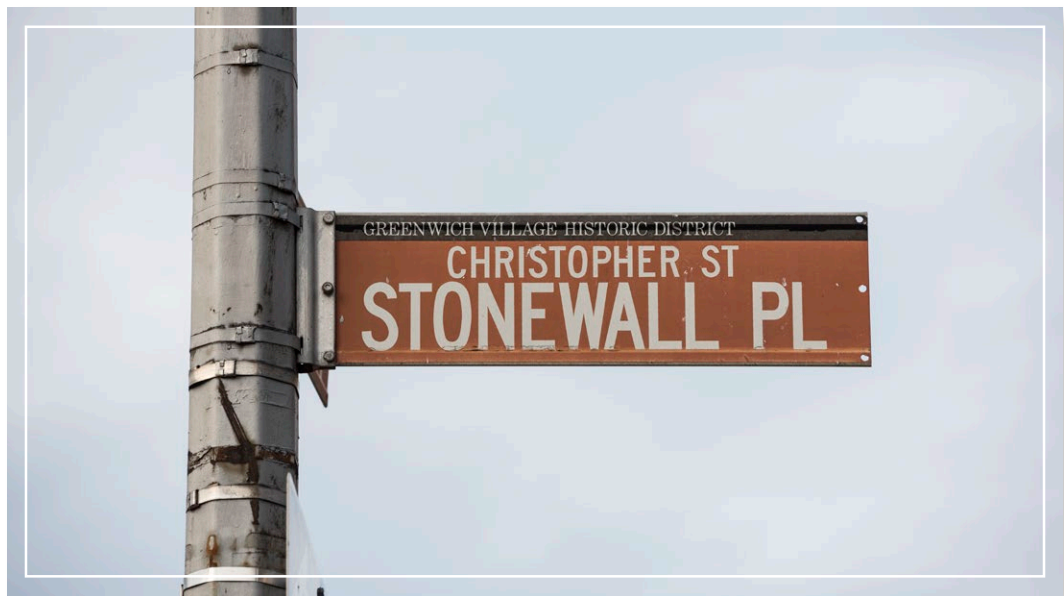
The core components of a foundation document include a brief description of the park, park purpose, significance statements, fundamental resources and values, and interpretive themes. These components are core because they typically do not change over time. Core components are expected to be used in future planning and management efforts.

### Brief Description of the Park

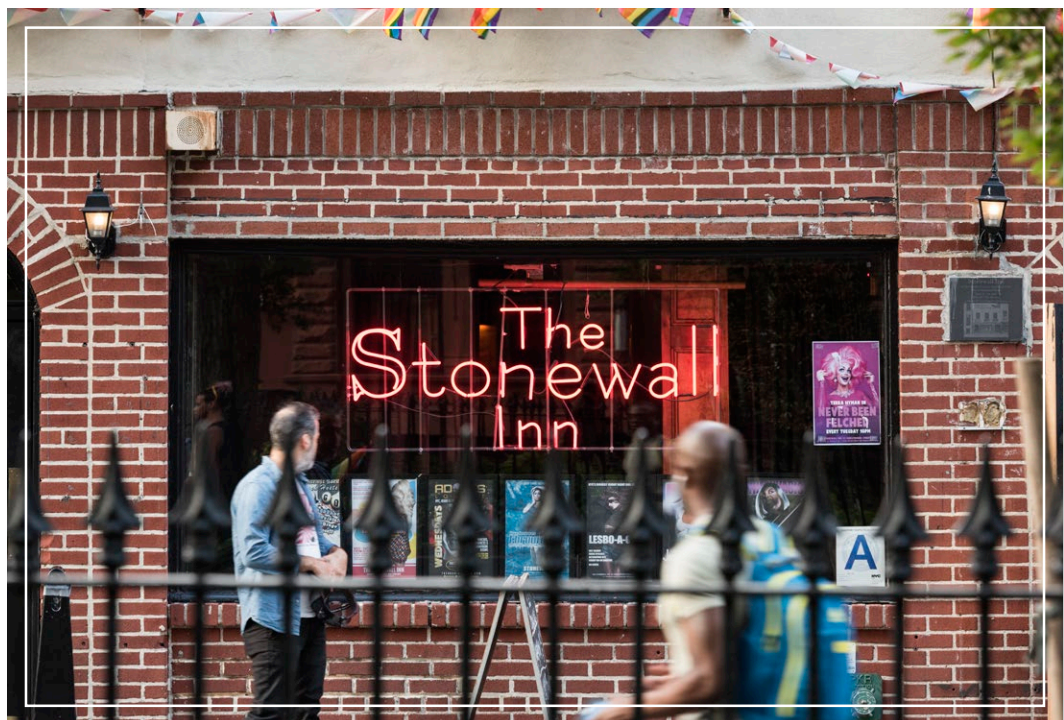
Stonewall National Monument (the monument) is a 7.7-acre site in the Greenwich Village neighborhood of New York City established by presidential proclamation in 2016. The monument encompasses both public and private property, including the privately owned Stonewall Inn, portions of the New York City street network, and 0.12-acre Christopher Park, which was donated to the federal government by the City of New York. Viewed from Christopher Park's central location, this historic landscape—the park itself, the Stonewall Inn, the streets and sidewalks of the surrounding neighborhood—reveals the story of the Stonewall uprising, a watershed moment for LGBTQ rights and a transformative event in the nation's civil rights movement. It was not the first time members of the LGBTQ community organized in their own interest. Yet, the movement to commemorate Stonewall on the first anniversary of the event inspired the largest and most successful collective protest for LGBTQ rights the nation had ever seen.

As one of the only public open spaces serving Greenwich Village west of 6th Avenue, Christopher Park has long been central to the life of the neighborhood and to its identity as an LGBTQ-friendly community. The park was created in 1837 after a large fire in 1835 devastated an overcrowded tenement on the site. By the 1960s, Christopher Park was a destination for LGBTQ youth, many of whom had run away from or been kicked out of their homes. Christopher Park served as a gathering place, refuge, and platform to voice demands for LGBTQ civil rights. Christopher Park continues to be an important place for the LGBTQ community to assemble for marches and parades, including the annual NYC Pride; expressions of grief and anger; and celebrations of victory and joy.





The Stonewall Inn (51-53 Christopher Street), located across the street from Christopher Park, was originally built in 1843 and 1846 as two separate two-story horse stables. In 1930, the two buildings were combined into one commercial space with a new, single exterior facade. In 1934, the first-floor space opened as a restaurant called Bonnie's Stonewall Inn, which served the neighborhood for more than 30 years. The restaurant closed in 1966, and reopened in 1967 as a gay bar called the Stonewall Inn. Since the Stonewall uprising in 1969, the Stonewall Inn has experienced a series of modifications as ownership and commercial use leases changed, including separation of the first floor interior into two individual commercial spaces in the early 1970s. A privately owned bar, the Stonewall Inn, now occupies the space at 53 Christopher Street, while 51 Christopher Street is used for other commercial businesses. In 2015, the Stonewall Inn was designated as a New York City Landmark.





The streets and sidewalks surrounding Christopher Park and the Stonewall Inn are an integral part of the neighborhood's historic character and played a significant role in the uprising. The irregular street grid to the west of 6th Avenue is a relic of the 18th century. Narrow streets at odd angles to each other cause directional havoc. During the Stonewall uprising, the labyrinthine street pattern helped the demonstrators, who knew the neighborhood, evade riot-control police who were not from the local precinct.

Today, Christopher Park is surrounded by brick sidewalks and a 19th-century wrought-iron fence with gated openings. Christopher Park is open daily to the public and contains a small plaza lined with brick pavers and benches. George Segal's sculpture, "Gay Liberation," is a focal point of the plaza. The sculpture was commissioned in 1979 on the 10th anniversary of the Stonewall uprising. Its installation in 1992 reinforced Christopher Park as a site to interpret the Stonewall uprising.



## Historical Overview

The 1960s are considered by many to be the starting point for the modern lesbian, gay, bisexual, transgender, and queer (LGBTQ) civil rights movement. Prior to 1960, almost everything about living openly as a lesbian, gay, bisexual, transgender, or queer person was a violation of law, rule, or policy. People who identified as LGBTQ faced increased oppression and criminal prosecution even for being physically intimate with consensual partners. The country had witnessed a number of uprisings rebelling against this oppression including Cooper's Donut Uprising (Los Angeles, 1959), Dewey's Sit-in (April 1965, Philadelphia), New Year's Ball Raid (San Francisco, 1965), Compton's Cafeteria Disturbance (San Francisco, 1966), and the Black Cat Raid (Los Angeles, 1967).

In New York City, LGBTQ people were frequently arrested for acts such as same-sex dancing or kissing, or wearing clothes of the perceived opposite gender. In some states, adults of the same sex caught having consensual sex in their own home could receive sentences of up to life in prison or be confined to a mental institution, where they faced horrific procedures, such as shock therapy, castration, and lobotomies. Many LGBTQ Americans lived in secrecy for fear of losing their jobs, being evicted from their homes, or being arrested. These experiences were frequently compounded for people who were a part of additional marginalized communities. For example, people of color in the LGBTQ community sometimes faced racism from inside the community as well as beyond. Likewise, LGBTQ people living in poverty—some of whom either chose to leave home or were forced to leave after coming out to their families—had to contend with home insecurity, hunger, and realities of living without ample means to take care of themselves.

For over a century, Greenwich Village has attracted Americans of all kinds with an interest in political activism and open expression. By the 1930s, Greenwich Village was home to a significant LGBTQ community. Despite the aggressive anti-LGBTQ policies and practices that emerged in the city in the 1950s and 60s, a variety of bars, nightclubs, restaurants, hotels, and private clubs catered to an LGBTQ clientele. The police frequently raided LGBTQ bars for illegally selling alcoholic drinks to "homosexuals." Many establishments lasted only a few months before police shut them down, a practice that intensified during mayoral election years such as 1969.

People who would identify today as LGBTQ had few choices for socializing in public and many bars they frequented were operated by organized crime. Members of the police force were often paid off in return for information about planned raids. Customers caught in a raid were routinely freed, but only after being photographed and humiliated.

By the late 1960s, the Stonewall Inn had become one of the most popular LGBTQ bars in New York City. Christopher Park, across the street from the Stonewall Inn, was also a popular place for younger gay men, most of whom were homeless, to congregate and socialize. Beyond the young street kids, the Stonewall Inn was also frequented by drag queens, transgender women, and a very small number of lesbians. As part of a crackdown on LGBTQ bars in June 1969, the Public Morals squad of Manhattan's First Police Division raided the Stonewall Inn on June 24, 1969, confiscated its liquor, and arrested its employees. The Stonewall Inn reopened the next day. Having made only minimal impact with this raid, the police decided to plan a surprise raid for the following Friday night or Saturday morning, when the bar would be crowded.

At approximately 1:15 a.m. on Saturday, June 28, 1969, undercover police officers raided the Stonewall Inn after the officers had witnessed the illegal sale of alcohol. Police threatened customers, many of whom were transgender women and drag performers, that if they refused to show identification, they would be expected to go into a bathroom where police could verify their sex. The patrons refused. As police officers began making arrests, the remaining customers gathered outside along with others who were already gathered in Christopher Park. They cheered when friends emerged from the bar under police escort, and they shouted "Gay Power!" and "We Want Freedom!" As the police paddy wagons arrived to remove the patrons that had been arrested, the crowd became agitated and began to yell and throw pennies, beer bottles, street pavers, and bricks at the officers. This led to additional conflicts between the officers and members of the crowd.



As the crowd grew angrier, the police officers retreated into the Stonewall Inn and locked themselves inside. The violence escalated as the crowd broke windows and used an uprooted parking meter to break down the doors of the Stonewall Inn. A small fire erupted inside the bar and at 3 a.m., the city's riot-control force appeared and started to push the crowd away from the Stonewall Inn, but the crowd refused to disperse. Groups of demonstrators retreated to nearby streets, only to cut back and regroup near the Stonewall Inn and Christopher Park. The riot finally abated about 4:30 a.m. In all, 13 people were arrested as a result of the raid and the Stonewall Inn was looted; doors, windows, mirrors and other fixtures were broken or destroyed. The initial Stonewall riot only lasted a couple of hours, but sparked a series of nightly protests in Christopher Park and the surrounding neighborhood streets over the following week. Each time, the riot police were called to the scene to disperse the crowds.

The events of Stonewall had an immediate impact on the LGBTQ community and activist groups in New York, drawing large numbers of people to participate in various emerging movements to secure LGBTQ rights. The New York LGBTQ community began to outwardly display signs of their sexual orientation in public, something they previously kept hidden for fear of arrest. LGBTQ activist groups, such as the Gay Liberation Front, Third World Gay Liberation, and Gay Activist Alliance, were formed immediately following the uprising, overlapping with and building upon the work of earlier activist groups. Flyers and newsletters were dispersed and media coverage of the events expanded, helping to spread the movement nationwide and internationally. Within days of the Stonewall uprising, protests were being held in cities across the country to show support and fight for LGBTQ rights. Gay Liberation Fronts were established throughout the United States as well as in England, Germany, Denmark, and New Zealand. One year later, the number of LGBTQ organizations in the country had grown from around 50 to at least 1,500, and Pride Marches were held in a number of large cities to commemorate the Stonewall uprising.

The Stonewall uprising, which occurred between June 28, 1969, and July 3, 1969, is frequently cited as the event that kicked off the modern LGBTQ civil rights movement. LGBTQ rights groups had previously formed, calling for an end to discrimination, but none led to the same level of impact. In the decades that followed, new LGBTQ organizations would be established. They would become more publicly and politically active than earlier organizations. Because the Stonewall uprising was made to represent *the* gay liberation movement, broader and more marginalized members of the community—non-binary and trans folks, drag queens, people of color, street kids, butch lesbians, etc.—claimed their rights to participate in Stonewall commemorations based on their contributions to the movement. Cultural activity related to LGBTQ rights also increased following the uprising including openly LGBTQ-themed artwork, poetry, literature, theater, motion pictures, and other nonviolent action. Stonewall, and the events that followed, empowered the LGBTQ community and those who continued to fight for civil rights. Today, Christopher Park and the Stonewall Inn are frequently used as sites of remembrance and a place of congregation as equal rights advance.



## Park Purpose

The purpose statement identifies the specific reason(s) for establishment of a particular park. The purpose statement for Stonewall National Monument was drafted through a careful analysis of its enabling legislation and the legislative history that influenced its development. The park was established by presidential proclamation on June 24, 2016 (see appendix A for the proclamation). The purpose statement lays the foundation for understanding what is most important about the park.

*The purpose of STONEWALL NATIONAL MONUMENT is to preserve and protect Christopher Park and the historic resources associated with it and to interpret the Stonewall National Historic Landmark's resources and values related to the lesbian, gay, bisexual, and transgender civil rights movement.*





## Park Significance

Significance statements express why a park's resources and values are important enough to merit designation as a unit of the national park system. These statements are linked to the purpose of Stonewall National Monument, and are supported by data, research, and consensus. Statements of significance describe the distinctive nature of the park and why an area is important within a global, national, regional, and systemwide context. They focus on the most important resources and values that will assist in park planning and management.

The following significance statements have been identified for Stonewall National Monument. (Please note that the sequence of the statements does not reflect the level of significance.)

- **Stonewall Uprising.** Inspired by earlier LGBTQ civil-rights activists and protests, the 1969 Stonewall uprising was a spontaneous vocal and forceful resistance to institutional oppression, unjust laws, and government authority. The uprising catalyzed the LGBTQ rights movement moving forward, sparking national headlines that raised visibility and awareness of LGBTQ people and emboldened more individuals to “come out” and advocate for LGBTQ equality. The Stonewall uprising led to the proliferation of activist and social groups across the country and internationally, transforming the earlier LGBTQ homophile movement into a cross-class/cross-spectrum, public, mass, nationwide political movement.
- **Symbolism.** The Stonewall uprising is the most well-known and widely used icon of the pursuit for LGBTQ rights. Used as a national and international symbol of LGBTQ activism and equality, the Stonewall uprising remains forever relevant as a point of pride, an expression of resistance to and liberation from institutional oppression, and a turning point that sparked changes in cultural attitudes and national policy and laws.
- **Commemorating History.** Stonewall National Monument commemorates an event that symbolizes decades of personal sacrifice, protests, and political and legal advocacy by LGBTQ people that continue to inspire and bring attention to the ongoing pursuit for civil rights and equality on the basis of sexual orientation and gender identity and expression. The designation of Stonewall National Monument was the culmination of a grassroots movement led by LGBTQ individuals, activists, and preservationists to elevate the history of the Stonewall uprising and the unfair treatment, brutality, and discrimination against LGBTQ people to the international stage, ensuring that the legacy of the Stonewall uprising will not be forgotten.





## Fundamental Resources and Values

Fundamental resources and values (FRVs) are those features, systems, processes, experiences, stories, scenes, sounds, smells, or other attributes determined to warrant primary consideration during planning and management processes because they are essential to achieving the purpose of the park and maintaining its significance. Fundamental resources and values are closely related to a park's legislative purpose and are more specific than significance statements.

Fundamental resources and values help focus planning and management efforts on what is truly significant about the park. One of the most important responsibilities of NPS managers is to ensure the conservation and public enjoyment of those qualities that are essential (fundamental) to achieving the purpose of the park and maintaining its significance. If fundamental resources and values are allowed to deteriorate, the park purpose and/or significance could be jeopardized.

The following fundamental resources and values have been identified for Stonewall National Monument:

- **Stonewall National Historic Landmark.** Christopher Park, the Stonewall Inn, and the nearby city streets were designated a national historic landmark in 2000. Designation as a national historic landmark acknowledges the national significance of all contributing resources with the landmark's boundary. The 0.12-acre parcel of land known as Christopher Park is owned and managed by the National Park Service (see presidential proclamation map in appendix A). The streets and sidewalks are owned by the City of New York and the Stonewall Inn is privately owned. The entirety of the Stonewall National Historic Landmark also falls within New York City's Greenwich Village Historic District (designated April 1969) and is protected by the city's Landmarks Law.
- **Stories and Archives.** Personal experiences, oral histories, and archives record the history of events leading up to the Stonewall uprising, the event itself, and related events that occurred following the uprising. These records also document the diversity and complexity of people's personal experiences and perspectives, past and present.
- **Partnerships.** With limited NPS ownership, cooperative partnerships with existing and future organized groups and government agencies are fundamental to telling the Stonewall story and preserving related resources. The presidential proclamation directs the National Park Service "to use applicable authorities to see to enter into agreements with others, and the New York City Department of Parks and Recreation in particular, to enhance public services and promote management efficiencies."
- **National Stage for Public Expression, Commemoration, and Public Engagement.** Christopher Park and its environs have remained a key gathering place for the LGBTQ community to assemble for marches and parades, express grief and anger, and participate in celebrations of victory and joy. For example, on June 26, 2015, within moments of the issuance of the Supreme Court's historic ruling in *Obergefell v. Hodges*, LGBTQ people assembled in Christopher Park to celebrate the court's recognition of a constitutional right to same-sex marriage. The monument also provides learning opportunities to raise public awareness about LGBTQ history, the effects of injustice, and foster an interest in preserving the monument's resources and lessons.

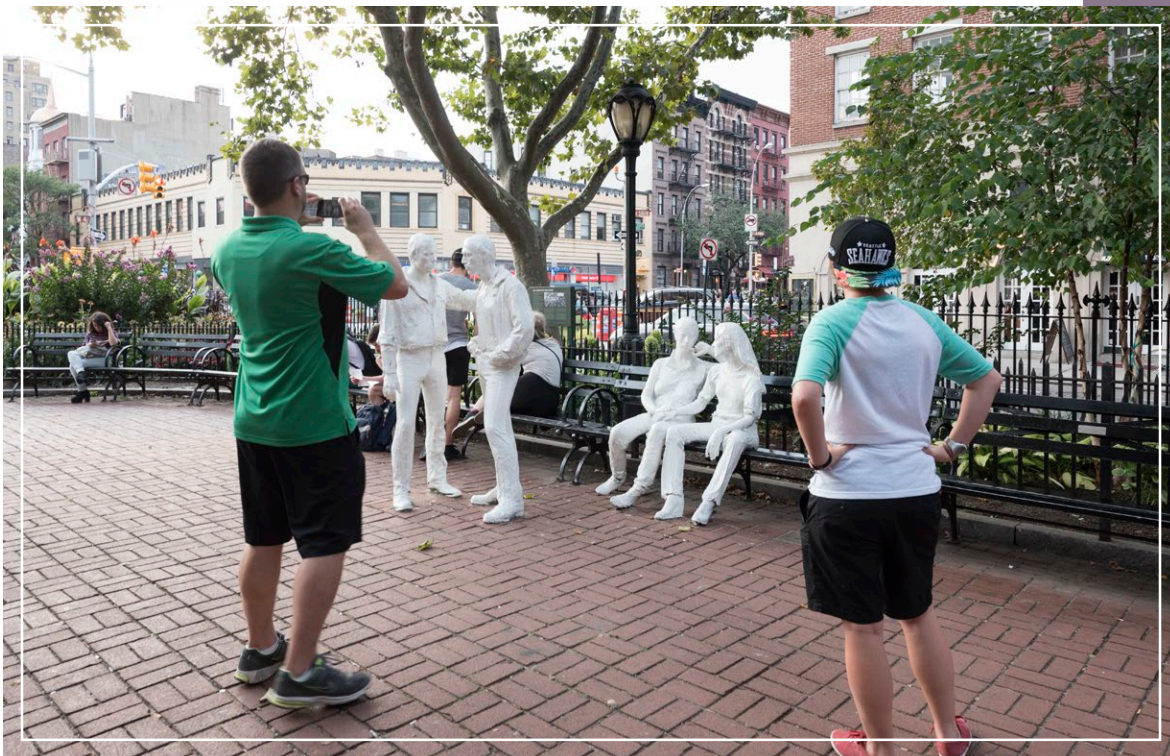
## Interpretive Themes

Interpretive themes are often described as the key stories or concepts that visitors should understand after visiting a park—they define the most important ideas or concepts communicated to visitors about a park unit. Themes are derived from, and should reflect, park purpose, significance, resources, and values. The set of interpretive themes is complete when it provides the structure necessary for park staff to develop opportunities for visitors to explore and relate to all park significance statements and fundamental resources and values.

Interpretive themes are an organizational tool that reveal and clarify meaning, concepts, contexts, and values represented by park resources. Sound themes are accurate and reflect current scholarship and science. They encourage exploration of the context in which events or natural processes occurred and the effects of those events and processes. Interpretive themes go beyond a mere description of the event or process to foster multiple opportunities to experience and consider the park and its resources. These themes help explain why a park story is relevant to people who may otherwise be unaware of connections they have to an event, time, or place associated with the park.

The following interpretive themes have been identified for Stonewall National Monument:

- **Stonewall Uprising.** The week-long Stonewall uprising that started on June 28, 1969, at the Stonewall Inn and spilled into Manhattan’s surrounding West Village neighborhood was the catalyst that launched the modern LGBTQ movement.
- **LGBTQ Civil Rights Movement.** Protesters from the uprising quickly became activists, converting their success into a civil rights movement for the LGBTQ community that borrowed an array of strategies already proven successful in other civil rights and social movements of the 1960s.
- **The Legacy of the LGBTQ Civil Rights Movement.** Informed and motivated by the successful strategies of the Stonewall activists, the LGBTQ civil rights movement inspires passion and commitment from next generations of LGBTQ people and allies who continue advancement in the fight for full equality in the United States.



## Part 2: Dynamic Components

The dynamic components of a foundation document include special mandates and administrative commitments and an assessment of planning and data needs. These components are dynamic because they will change over time. New special mandates can be established and new administrative commitments made. As conditions and trends of fundamental resources and values change over time, the analysis of planning and data needs will need to be revisited and revised, along with key issues. Therefore, this part of the foundation document will be updated accordingly.

### Special Mandates and Administrative Commitments

Many management decisions for a park unit are directed or influenced by special mandates and administrative commitments with other federal agencies, state and local governments, utility companies, partnering organizations, and other entities. Special mandates are requirements specific to a park that must be fulfilled. Mandates can be expressed in enabling legislation, in separate legislation following the establishment of the park, or through a judicial process. They may expand on park purpose or introduce elements unrelated to the purpose of the park. Administrative commitments are, in general, agreements that have been reached through formal, documented processes, often through memorandums of agreement. Examples include easements, rights-of-way, arrangements for emergency service responses, etc. Special mandates and administrative commitments can support, in many cases, a network of partnerships that help fulfill the objectives of the park and facilitate working relationships with other organizations. They are an essential component of managing and planning for Stonewall National Monument.

#### Special Mandates

- The presidential proclamation states that the National Park Service “is directed to use applicable authorities to seek to enter into agreements with others, and the New York City Department of Parks and Recreation in particular, to enhance public services and promote management efficiencies.”

#### Administrative Commitments

- The National Park Service has an agreement with the National Parks and Conservation Association to provide advisory services.
- The National Park Service has an agreement with the Lesbian, Gay, Bisexual, and Transgender Community Center to provide advisory services and conduct an oral history project in conjunction with the Lower East Side Tenement Museum.
- The National Park Service has an agreement with New York City Parks to provide maintenance services for Christopher Park including trash and snow removal.
- The National Park Service has an agreement with the Christopher Park Alliance to provide advisory services, open and close the site, and maintain the Christopher Park gardens.
- The National Park Service has an agreement with the New York City Board of Education to provide educational advisory services.
- The National Park Service has an agreement with the New York City Planning Community Board 2 to provide advisory services.



## Assessment of Planning and Data Needs

Once the core components of part 1 of the foundation document have been identified, it is important to gather and evaluate existing information about the park's fundamental resources and values, and develop a full assessment of the park's planning and data needs. The assessment of planning and data needs section presents planning issues, the planning projects that will address these issues, and the associated information requirements for planning, such as resource inventories and data collection, including GIS data.

Typically, there are three sections in the assessment of planning and data needs:

- analysis of fundamental resources and values
- identification of key issues and associated planning and data needs
- identification of planning and data needs (including spatial mapping activities or GIS maps)

At the time this foundation document was developed, the park unit was newly established and the fundamental resources and values and planning and data needs had not been analyzed. These sections will be revisited in a future update.



## Identification of Key Issues and Associated Planning and Data Needs

This section considers key issues to be addressed in planning and management and therefore takes a broader view over the primary focus of part 1. A key issue focuses on a question that is important for a park. Key issues often raise questions regarding park purpose and significance and fundamental resources and values. For example, a key issue may pertain to the potential for a fundamental resource or value in a park to be detrimentally affected by discretionary management decisions. A key issue may also address crucial questions that are not directly related to purpose and significance, but which still affect them indirectly. Usually, a key issue is one that a future planning effort or data collection needs to address and requires a decision by NPS managers. This key issues assessment is not exhaustive and will be updated and revisited from time to time as projects are undertaken and as new issues emerge.

The following are key issues for Stonewall National Monument and the associated planning and data needs to address them:

- **Partnership Coordination.** As a new unit of the national park system, Stonewall National Monument is at the beginning stages of establishing partnerships, defining and developing visitor services, and creating interpretive media. The way this monument will thrive is through active collaboration efforts among the National Park Service, local residents and businesses, and partners. Many actions will depend on partner energy, attention, and funding.  
  
Clear coordination strategies between the park and its partners are needed in order to nimbly address emerging issues and opportunities while efficiently leveraging the resources and strengths of partner organizations. Partnership parks function at their best when all partners are coordinated and oriented toward the core mission of the park and there is minimal duplication of efforts or competition among organizations. Currently, the park is challenged to create a partnership environment in which all partners understand how they fit into the overall management picture, are secure and feel valued in their role, and benefit from the efforts of their fellow partner organizations in the realization of their own missions.  
  
- *Associated high priority planning and data needs:* Partnership strategy
- **Visitor Experience and Education.** Expectations in new park units run high—especially expectations for public services and visitor experiences. As a partnership park, Stonewall National Monument generally relies on programming and services that exist through partner organizations, then identifies areas where the National Park Service can add value to those existing services. Planning for these services and experiences will allow the park to make decisions and set priorities that help to strategically apportion limited NPS resources to their best advantage to do the most good in service to the public.  
  
- *Associated high priority planning and data needs:* Visitor experience plan, partnership strategy
- **Operational Efficiency and Management of Multiple Park Units.** Stonewall National Monument is one of nine NPS units in New York City. All nine sites fall under a single management group, sharing staff and various administrative resources. The historic buildings and landscapes that make up these nine sites are woven into the urban fabric of New York City and are spread out over numerous city blocks. Approximately 21 miles from the southernmost park to the northernmost park, it is roughly a 1.5-hour trip one way. The large number of sites, their geographic distribution, and their various visitation levels create logistical challenges for meeting stewardship and maintenance objectives as well as providing appropriate staffing levels and visitor access. A comprehensive understanding of each site's maintenance, visitation, and staffing needs would guide management in balancing the operational needs at each park.  
  
- *Associated high priority planning and data needs:* Business plan, partnership strategy, visitor use study

## Part 3: Contributors

### Stonewall National Monument

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### NPS Northeast Region

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Amanda Jones, Community Planner, Project Lead

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### Other NPS Staff

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### Partners

Susanna Aaron, Liaison to New York City Community Board #2

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Mary Steyer, Senior Director of Communications, The Lesbian, Gay, Bisexual & Transgender Community Center

Robert A. Woodworth, Stonewall Project Consultant, The Lesbian, Gay, Bisexual & Transgender Community Center

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## Appendixes

### Appendix A: Presidential Proclamation for Stonewall National Monument

42215

Federal Register

Vol. 81, No. 125

Wednesday, June 29, 2016

#### Presidential Documents

Title 3—

Proclamation 9465 of June 24, 2016

The President

Establishment of the Stonewall National Monument

By the President of the United States of America

##### A Proclamation

Christopher Park, a historic community park located immediately across the street from the Stonewall Inn in the Greenwich Village neighborhood of New York City (City), is a place for the lesbian, gay, bisexual, and transgender (LGBT) community to assemble for marches and parades, expressions of grief and anger, and celebrations of victory and joy. It played a key role in the events often referred to as the Stonewall Uprising or Rebellion, and has served as an important site for the LGBT community both before and after those events.

As one of the only public open spaces serving Greenwich Village west of 6th Avenue, Christopher Park has long been central to the life of the neighborhood and to its identity as an LGBT-friendly community. The park was created after a large fire in 1835 devastated an overcrowded tenement on the site. Neighborhood residents persuaded the City to condemn the approximately 0.12-acre triangle for public open space in 1837. By the 1960s, Christopher Park had become a popular destination for LGBT youth, many of whom had run away from or been kicked out of their homes. These youth and others who had been similarly oppressed felt they had little to lose when the community clashed with the police during the Stonewall Uprising.

In the early morning hours of June 28, 1969, a riot broke out in response to a police raid on the Stonewall Inn, at the time one of the City's best known LGBT bars. Over the course of the next several days, more demonstrations and riots occurred in the surrounding neighborhood including Christopher Park. During these days, because of its strategic location across from the bar, Christopher Park served as a gathering place, refuge, and platform for the community to voice its demand for LGBT civil rights. The Stonewall Uprising is considered by many to be the catalyst that launched the modern LGBT civil rights movement. From this place and time, building on the work of many before, the Nation started the march—not yet finished—toward securing equality and respect for LGBT people.

Christopher Park and its environs have remained a key gathering place for the LGBT community. For example, on June 26, 2015, within moments of the issuance of the Supreme Court's historic ruling in *Obergefell v. Hodges*, LGBT people headed to Christopher Park to celebrate the Court's recognition of a constitutional right to same-sex marriage. A few days later, Governor Cuomo continued that celebration by officiating at the marriage of two gay men directly outside the Stonewall Inn. Within minutes of the recent news of the murders of 49 people in a nightclub in Orlando, Florida—one of the most deadly shootings in American history—LGBT people and their supporters in New York headed again to Christopher Park to mourn, heal, and stand together in unity for the fundamental values of equality and dignity that define us as a country.

Today, Christopher Park is surrounded by brick sidewalks and a nineteenth century wrought-iron fence with gated openings. Educational signs about the Stonewall Uprising are found near the large arched main entryway. Divided into two halves, the western side of the park is open to the public

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on a daily basis and contains a small plaza lined with brick pavers and benches. George Segal's sculpture, "Gay Liberation," stands as a focal point of the plaza. The sculpture was commissioned in 1979 on the tenth anniversary of the Stonewall Uprising, and its installation in 1992 cemented Christopher Park's role as a destination for those wishing to understand the significance of the Stonewall Uprising. The eastern half of the park contains two structures erected in 1936: a statue of Civil War General Philip Sheridan, and a memorial flagstaff and plaque honoring Colonel Ephraim Elmer Ellsworth, an officer with the New York Fire Zouaves during the Civil War.

Across the street from Christopher Park is the target of the June 28, 1969, police raid, the Stonewall Inn (51–53 Christopher Street), originally built in 1843 and 1846 as two separate two-story horse stables. In 1930, the two buildings were combined into one commercial space with a new single exterior facade. In 1934, the first-floor space opened as a restaurant called Bonnie's Stonewall Inn, which served the neighborhood for over 30 years. The restaurant closed in 1966, but was reopened in 1967 as an LGBT bar called the Stonewall Inn.

The streets and sidewalks in the neighborhood surrounding Christopher Park and the Stonewall Inn are an integral part of the neighborhood's historic character and played a significant role in the Stonewall Uprising. The narrow streets bend, wrap back on themselves, and otherwise create directional havoc. In the early 1800s, the residents rejected the City's attempts to enlarge the neighborhood streets and align them with the City's grid plan, and the extension of Seventh Avenue South through the area in the early 1900s only added confusion. During the Stonewall Uprising, this labyrinthine street pattern helped the LGBT demonstrators, who knew the neighborhood, to evade riot-control police, who were not from the local precinct.

Viewed from Christopher Park's central location, this historic landscape—the park itself, the Stonewall Inn, the streets and sidewalks of the surrounding neighborhood—reveals the story of the Stonewall Uprising, a watershed moment for LGBT civil rights and a transformative event in the Nation's civil rights movement on par with the 1848 Women's Rights Convention at Seneca Falls and the 1965 Selma-to-Montgomery March for voting rights in its role in energizing a broader community to demand equal rights.

Although the 1960s were a time of social and political change that brought greater freedom to many segments of society, these new-found freedoms did not extend to members of the LGBT community. They faced increased oppression and criminal prosecution even for being physically intimate with consensual partners. In New York City, LGBT people were frequently arrested for acts such as same-sex dancing and kissing and wearing clothes of the perceived opposite gender. In some States, adults of the same sex caught having consensual sex in their own home could receive sentences of up to life in prison or be confined to a mental institution, where they faced horrific procedures, such as shock therapy, castration, and lobotomies. LGBT Americans lived their lives in secrecy for fear of losing their jobs, being evicted from their homes, or being arrested. For LGBT people of color or living in poverty, life was especially challenging.

For over a century, Greenwich Village has attracted Americans of all kinds with an interest in political activism and nonconformity. By the 1930s, Greenwich Village was home to a significant LGBT community. Despite the aggressive anti-LGBT policies and practices that emerged in the City in the 1950s and 60s, a variety of bars, nightclubs, restaurants, hotels, and private clubs catered to an LGBT clientele. Many establishments lasted only a few months before police raided them and shut them down, a practice that intensified during mayoral election years such as 1969.

The police frequently raided LGBT bars for illegally selling alcoholic drinks to "homosexuals." LGBT bars operated by organized crime syndicates often paid off members of the police force and in return received tips about when raids were planned. As part of a crackdown on LGBT bars in June 1969, the Public Morals squad of Manhattan's First Police Division raided



the Stonewall Inn on June 24, 1969, confiscated its liquor, and arrested its employees. The Stonewall Inn reopened the next day. Having made only minimal impact with this raid, the police decided to plan a surprise raid for the following Friday night or Saturday morning, when the bar would be crowded.

On June 28, 1969, undercover police officers raided the Stonewall Inn around 1:15 a.m., after one of them witnessed the illegal sale of alcohol. Customers resisted the police by refusing to show identification or go into a bathroom so that a police officer could verify their sex. As police officers began making arrests, the remaining customers gathered outside instead of dispersing as they had in the past. They cheered when friends emerged from the bar under police escort, and they shouted "Gay Power!" and "We Want Freedom!". As word spread, the gathering grew in size and a riot ultimately ensued. Around 3:00 a.m., the City's riot-control force appeared, and started to push the crowd away from the Stonewall Inn. But the crowd refused to disperse. Groups of demonstrators retreated to nearby streets, only to cut back and regroup near the Stonewall Inn and Christopher Park. The riot finally abated about 4:30 a.m., but during the next week several more protests formed, and in some cases, led to new riots and confrontations with the police.

The Stonewall Uprising changed the Nation's history. After the Stonewall incident, the LGBT community across the Nation realized its power to join together and demand equality and respect. Within days of the events, Stonewall seemed to galvanize LGBT communities across the country, bringing new supporters and inspiring LGBT activists to organize demonstrations to show support for LGBT rights in several cities. One year later, the number of LGBT organizations in the country had grown from around 50 to at least 1,500, and Pride Marches were held in a number of large cities to commemorate the Stonewall Uprising.

The quest for LGBT equality after Stonewall evolved from protests and small gatherings into a nationwide movement. Lesbian women, gay men, bisexual and transgender people united to ensure equal rights for all people regardless of their sexual orientation or gender identity. Hard-fought civil rights victories in courtrooms and statehouses across the country set the stage for victories in the Supreme Court that would have seemed unthinkable to those who rose up in Greenwich Village in June 1969. Today, communities, cities, and nations celebrate LGBT Pride Days and Months, and the number of Pride events approaches 1,000. The New York City Police Department now has an LGBT Liaison Unit to build positive relations with the LGBT community, and provides the community with expert protection when threats are identified. Most importantly, the Nation's laws and jurisprudence increasingly reflect the equal treatment that the LGBT community deserves. There is important distance yet to travel, but through political engagement and litigation, as well as individual acts of courage and acceptance, this movement has made tremendous progress toward securing equal rights and equal dignity.

WHEREAS, section 320301 of title 54, United States Code (known as the "Antiquities Act"), authorizes the President, in the President's discretion, to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Federal Government to be national monuments, and to reserve as a part thereof parcels of land, the limits of which in all cases shall be confined to the smallest area compatible with the proper care and management of the objects to be protected;

WHEREAS, in 2000, the Secretary of the Interior (Secretary) designated the Stonewall Inn, Christopher Park, and portions of the surrounding neighborhood as a National Historic Landmark for its association with the Stonewall Uprising, a momentous event that inspired a national LGBT civil rights movement;

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WHEREAS, for the purpose of establishing a national monument to be administered by the National Park Service, the City of New York has donated to the Federal Government fee title to the approximately 0.12-acre Christopher Park;

WHEREAS, the designation of a national monument at the site of the Stonewall Uprising would elevate its message and story to the national stage and ensure that future generations would learn about this turning point that sparked changes in cultural attitudes and national policy towards LGBT people over the ensuing decades;

WHEREAS, it is in the public interest to preserve and protect Christopher Park and the historic objects associated with it in the Stonewall National Historic Landmark;

NOW, THEREFORE, I, BARACK OBAMA, President of the United States of America, by the authority vested in me by section 320301 of title 54, United States Code, hereby proclaim the objects identified above that are situated upon lands and interests in lands owned or controlled by the Federal Government to be the Stonewall National Monument (monument) and, for the purpose of protecting those objects, reserve as a part thereof all lands and interests in lands owned or controlled by the Federal Government within the boundaries described on the accompanying map, which is attached to and forms a part of this proclamation. The reserved Federal lands and interests in lands encompass approximately 0.12 acres. The boundaries described on the accompanying map are confined to the smallest area compatible with the proper care and management of the objects to be protected.

All Federal lands and interests in lands within the boundaries described on the accompanying map are hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or other disposition under the public land laws, from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing.

The establishment of the monument is subject to valid existing rights. If the Federal Government acquires any lands or interests in lands not owned or controlled by the Federal Government within the boundaries described on the accompanying map, such lands and interests in lands shall be reserved as a part of the monument, and objects identified above that are situated upon those lands and interests in lands shall be part of the monument, upon acquisition of ownership or control by the Federal Government.

The Secretary shall manage the monument through the National Park Service, pursuant to applicable legal authorities, consistent with the purposes and provisions of this proclamation. The Secretary shall prepare a management plan, with full public involvement and in coordination with the City, within 3 years of the date of this proclamation. The management plan shall ensure that the monument fulfills the following purposes for the benefit of present and future generations: (1) to preserve and protect the objects of historic interest associated with the monument, and (2) to interpret the monument's objects, resources, and values related to the LGBT civil rights movement. The management plan shall, among other things, set forth the desired relationship of the monument to other related resources, programs, and organizations, both within and outside the National Park System.

The National Park Service is directed to use applicable authorities to seek to enter into agreements with others, and the New York City Department of Parks and Recreation in particular, to enhance public services and promote management efficiencies.

Nothing in this proclamation shall be deemed to revoke any existing withdrawal, reservation, or appropriation; however, the monument shall be the dominant reservation.

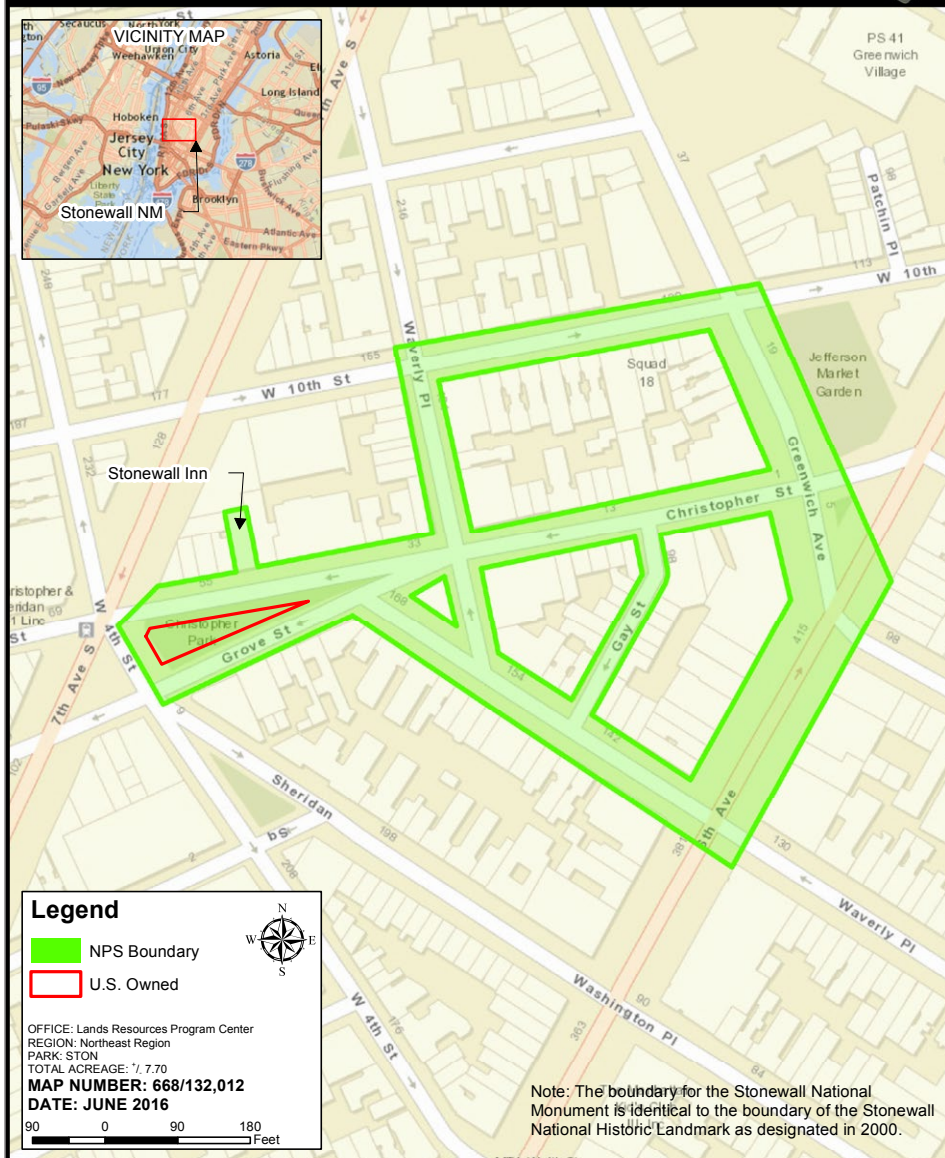
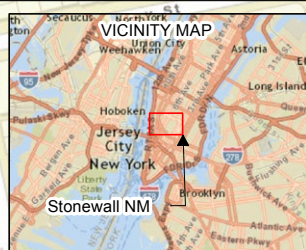
Warning is hereby given to all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument and not to locate or settle upon any of the lands thereof.

IN WITNESS WHEREOF, I have hereunto set my hand this twenty-fourth day of June, in the year of our Lord two thousand sixteen, and of the Independence of the United States of America the two hundred and fortieth.



## Stonewall National Monument Boundary

National Park Service  
U.S. Department of the Interior





## Appendix B: Stonewall National Historic Landmark Nomination



### United States Department of the Interior

NATIONAL PARK SERVICE  
1849 C Street, N.W.  
Washington, DC 20240

AUG 17 2016

#### Memorandum

To: Regional Director, Northeast Region  
Associate Director, Park Planning, Facilities, and Lands

From: *[Signature]* Director

Subject: Activation: Presidential Proclamation 9465, Establishment of the Stonewall National Monument

On June 24, 2016, President issued Presidential Proclamation 9465, establishing the Stonewall National Monument in New York City, New York. A copy of the proclamation is attached.

The purpose of the national monument is to preserve and interpret resources associated with the Stonewall Uprising or Rebellion, a momentous event in the history of the civil rights movement for the lesbian, gay, bisexual, and transgender (LGBT) community. The uprising was a riot in response to a police raid on June 28, 1969, on the Stonewall Inn, a well-known LGBT bar, and the continued riots and demonstrations in the neighborhood in the days that followed. The monument consists of the 0.12-acre parcel of land known as Christopher Park, located across the street from the Stonewall Inn, which was donated to the federal government by the City of New York. The proclamation establishes a national monument boundary encompassing 7.70 acres of lands that include the Stonewall Inn and nearby city streets, which is identical to the boundary of the Stonewall National Historic Landmark. Any lands within the boundary acquired by the federal government would be added to the national monument.

As one of the only public open spaces serving Greenwich Village west of 6th Avenue, Christopher Park has long been central to the life of the neighborhood and to its identity as an LGBT-friendly community. The park was created in 1837 after a large fire in 1835 devastated an overcrowded tenement on the site. The park became an important place, both before the Stonewall Uprising and after, for the LGBT community to assemble for marches and parades, expressions of grief and anger, and celebrations of victory and joy.

This proclamation directs the Secretary of the Interior to manage the monument through the National Park Service, pursuant to applicable legal authorities, consistent with the purposes and provisions of this proclamation. It directs the Secretary to prepare a management plan, with full public involvement and in coordination with New York City within three years of the date of this proclamation. The management plan shall ensure that the monument fulfills the following purposes for the benefit of present and future generations: (1) to preserve and protect the objects of historic interest associated with the monument, and (2) to interpret the monument's objects, resources, and values related to the LGBT civil rights movement. The management plan shall,

among other things, set forth the desired relationship of the monument to other related resources, programs, and organizations, both within and outside the National Park System.

The National Park Service is directed to use applicable authorities to seek to enter into agreements with others, and the New York City Department of Parks and Recreation in particular, to enhance public services and promote management efficiencies.

#### Background

The national significance of the Stonewall site was formally recognized in 2000, when the Secretary of the Interior designated the Stonewall Inn, Christopher Park, and streets in the neighborhood a national historic landmark.

In August, 2015, in order to assess whether the Stonewall site was likely to meet the National Park Service's criteria for addition to the National Park System, Senator Kirsten Gillibrand (D-NY) and Representative Jerrold Nadler (D-NY-10) requested that the National Park Service conduct a reconnaissance survey of the Stonewall National Historic Landmark. The survey, transmitted to Congress in April, 2016, noted that the Secretary of the Interior had previously determined that the site met the criteria for national significance, and it made a preliminary determination that it was likely to meet the other new-unit criteria of suitability, feasibility, and need for National Park Service management.

Senator Gillibrand and Representative Nadler also introduced identical bills, S. 2386 and H.R. 4230, respectively, to authorize the establishment of the Stonewall National Historic Site as a unit of the National Park System. Both bills were introduced on December 10, 2015. No action was taken on either bill.

Responsibility: Regional Director, Northeast Region  
Associate Director, Park Planning, Facilities, and Lands

Attachment: Presidential Proclamation 9465

## Northeast Region Foundation Document Recommendation Stonewall National Monument

May 2019

This Foundation Document has been prepared as a collaborative effort between park and regional staff and is recommended for approval by the Northeast Regional Director.



May 6, 2019

**RECOMMENDED**

Shirley McKinney, Superintendent, Stonewall National Monument

Date



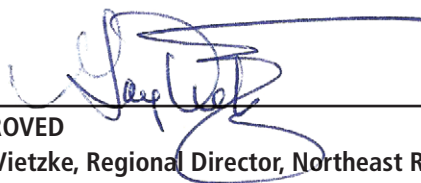
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**RECOMMENDED**

Joshua Laird, Commissioner, National Parks of New York Harbor

Date



May 9, 2019

**APPROVED**

Gay Vietzke, Regional Director, Northeast Region

Date



As the nation's principal conservation agency, the Department of the Interior has responsibility for most of our nationally owned public lands and natural resources. This includes fostering sound use of our land and water resources; protecting our fish, wildlife, and biological diversity; preserving the environmental and cultural values of our national parks and historic places; and providing for the enjoyment of life through outdoor recreation. The department assesses our energy and mineral resources and works to ensure that their development is in the best interests of all our people by encouraging stewardship and citizen participation in their care. The department also has a major responsibility for American Indian reservation communities and for people who live in island territories under U.S. administration.

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May 2019

## Foundation Document • Stonewall National Monument



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