

# U.S. Judge Tempers Moves to Restrict Protests in Capital

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A Federal judge substantially tempered today proposed governmental restrictions on protest demonstrations in front of the White House.

Judge George L. Hart of the United States District Court here ordered major changes in a 33-item questionnaire that Federal lawyers had sought to force protest groups to file before allowing them to stage a demonstration.

Judge Hart struck down 15 of the questions and ordered that four others be worded less constrictively.

Among the questions deleted were those that would have required demonstration leaders to list the arrest, indictment, conviction and jail records of every person who was to take part in the demonstration and to state the degree to which each demonstrator advocated the use of violence.

Lawyers for the American Civil Liberties Union argued that it would be almost impossible for an organization to compile such data before planning a demonstration.

Today's ruling is but one facet of a 2½-year-old case in which the A.C.L.U. and five political groups have been seeking to prevent the Government from restricting the use for political purposes of the sidewalk in front of the White House

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and Lafayette Park across the street.

The Government has attempted to limit the number of demonstrators to 100 on the sidewalk and 500 in Lafayette Park, an area that can accommodate at least 100 times as many. A complicated series of legal maneuvers has temporarily prevented the Government from doing this.

But in the last ruling in February, the United States Court of Appeals for the District of Columbia ordered the United States District Court to rule on a form that protest groups might file 15 days before a demonstration to explain their protest plans. The Government said the intent was to insure adequate police protection.

### Two Versions Offered

Federal attorneys submitted the 33-question form while the A.C.L.U. countered with a substitute version limited to the time, date, place, organization, reasons and number of demonstrators expected.

Judge Hart's compromise version contained the questions suggested by the A.C.L.U., plus others that would require the sponsoring group to state the proposed form of protest, the equipment to be used, distinguishing insignia, and plans the sponsors had to police themselves.

The judge ordered revisions in four questions and will listen to substitute versions later this week.

Technically, the case is a suit filed by "a Quaker action group et al" against "Walter J. Hickel, Secretary of the Interior, et al." The Interior Department includes the National Park Service, which controls

the White House sidewalk and Lafayette Park.

The five groups involved are the Quaker Action Group, Jews for Urban Justice, the Action Committee for Arab-American Relations, Women Strike for Peace, and Clergy and Laymen Concerned about Vietnam.

The main suit is seeking to prevent not only the setting of a limit on the size of a demonstration but also the necessity for a permit to hold it.

### Traditional Use Cited

Before 1967 the sidewalk and Lafayette Park were supervised by the District of Columbia Police Department, which did not require permits for demonstrations. Then the National Park Police assumed control and the Interior Department sought to institute the controls that have been challenged.

Those groups seeking to prevent the setting of limits have argued that the area in front of the White House has traditionally been used to hold peaceful demonstrations since the turn of the century.

"The regulations and the subsequent legal actions have succeeded in putting the White House out of bounds as the site of large demonstrations," said one A.C.L.U. lawyer. "The Government has managed to immunize the White House sidewalk as a focus of political dissent."

The plaintiffs have contended that this is an unconstitutional restriction on the freedom of assembly. The Government has argued that it should have the right to restrict large demonstrations because the safety of the President might be involved if a huge crowd were allowed to gather and if it charged the gates and entered the White House.