

## RALLY RULE ASKED FOR WHITE HOUSE

Proposal Would Also Affect  
Size of Public Gatherings  
Elsewhere in Capital

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Special to The New York Times

WASHINGTON, July 13—The Government announced today that it was proposing new regulations to limit the size of demonstrations in front of the White House but to allow unlimited public gatherings on the Ellipse and the grounds of the Washington Monument behind the White House.

The proposed regulations could go into effect as soon as 30 days after they have been published in The Federal Register for public comment.

Officials of the Departments of Justice and the Interior said at a news conference that the proposal to limit demonstrations on the White House sidewalk and Lafayette Park, across the street from the White House, was based on providing security for the President.

### Regulations Suspended

William D. Ruckelshaus, Assistant Attorney General in the Civil Division of the Justice Department, said that the limit of 100 persons on the Pennsylvania Avenue sidewalk and of 500 persons in Lafayette Park were numbers recommended by the Secret Service.

The Government has attempted to set these same numerical limits in administrative regulations established after a demonstration in 1967 of 30,000 in Lafayette Park.

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The Federal courts here suspended these regulations in May, 1969, and replaced them with a requirement that groups give a 15-day advance notice before a planned public gathering, but set no crowd limits.

The proposed regulations would establish a permit system for the park areas around the White House.

Groups planning to assemble in numbers less than 100 would have to apply for a permit 48 hours in advance; those planning larger demonstrations would have to apply seven days in advance.

The only basis for denying permits would be if a "clear and present danger" was shown, a prior permit application had been made, or a decision that the gathering would be too large for the area sought.

### Evidence Required

Mr. Ruckelshaus and Mitchell Melich, Solicitor of the Interior Department, said that, short of a statement of intent to do violence or "overriding information or evidence" from the Federal Bureau of Investigation or Secret Service, there would be no way to invoke the "clear and present danger" clause.

"I think all the demonstrations we've had here since October could have been granted permits under this regulation," Mr. Melich said, adding that none of the sponsors of the antiwar demonstrations had planned violence even though some violence occurred after some of the rallies.

After the proposed regulations are published in The Federal Register, the public would have 30 days in which to submit comments or seek public

hearings before the regulations are reviewed and adopted by the Interior Department.

Once in effect, groups would have to go to the Federal courts here if they felt they were improperly denied a permit or if they wished to challenge any part of the regulations.

The limit of 100 persons on the sidewalk and 500 in Lafayette Park has been challenged on several occasions and Justice Department sources indicated that they expected the new regulations would also be challenged.

Last March, attorneys for the American Civil Liberties Union presented studies by urban planners showing that the proscribed area could hold as many as 9,000 persons. They contended that there was no legal basis for regulations that limit the number of demonstrators.

By introducing Presidential security into park regulations, the Government is trying to give a legal basis for the numerical limits.

Attached to the proposed regulations is a 40-page comment by Walter J. Hickel, Secretary of the Interior, quoting extensively from correspondence with James J. Rowley, director of the Secret Service, concerning the safety of the President and the security of the White House.

Mr. Rowley maintained that crowd limitation is preferable to a condition where weapons would have to be used to protect the White House.

The lack of crowd limits at the back of the White House was attributed to the greater distance from those fences to the building itself.