

No. 26-1714

UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

NATIONAL PARKS CONSERVATION ASSOCIATION et. al.,

Plaintiffs-Appellees,

v.

UNITED STATES DEPARTMENT OF THE INTERIOR; DOUG BURGUM, in
his official capacity as Secretary of the Interior; NATIONAL PARK SERVICE;
and JESSICA BOWRON, in her official Capacity as the Official Exercising the
Delegated Authority of the Director,

Defendants-Appellants

Appeal from the United States District Court for the District of Massachusetts
No. 1:26-cv-10877 (Hon. Angel Kelley)

**CONSENTED-TO AMICUS CURIAE BRIEF BY THE CITY OF BOSTON
IN SUPPORT OF APPELLEES' OPPOSITION TO EMERGENCY
MOTION FOR STAY**

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June 23, 2026

RULE 26.1 CORPORATE DISCLOSURE STATEMENT

Proposed *amicus curiae* the City of Boston certifies that, as a governmental entity, no corporate disclosure statement is required pursuant to Federal Rule of Appellate Procedure 26.1 and First Circuit Rule 26.1.

/s/Megan Corrigan
Megan Corrigan

STATEMENT OF COMPLIANCE WITH FIRST CIRCUIT RULE 29

In accordance with First Circuit Rule 29(a)(2), the City of Boston received consent to file this brief from both counsel for Plaintiffs-Appellees and counsel for Defendants-Appellants.

/s/Megan Corrigan
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STATEMENT OF INTEREST

This summer, the City of Boston (“Boston” or the “City”) is hosting a record number of visitors from around the world as we celebrate the nation’s 250th Anniversary, Sail Boston 2026, and the World Cup.¹ Boston has long welcomed the world with sites that illuminate the story of the United States, including both the country’s revolutionary history and the efforts of Americans, across two and a half centuries since, to marshal the ideas and ideals of the founding in subsequent struggles for freedom. With the eyes of the world on Boston this summer, it is critical that our historic sites remain free from ahistorical whitewashing by the federal government. As the District Court said, it is “important that our shared history be honestly told and fully restored by the 250th Anniversary to properly honor the remarkable achievements of the United States.”²

Among the earliest of those achievements was the 1775 Battle of Bunker Hill, in which American soldiers demonstrated the courage and resolve that would define the fight for independence and freedom. The Bunker Hill Monument (the

¹ Matt Prichard, *2026 World Cup, America250 & more: Busy summer is a stress test and an opportunity*, NBC Boston (March 24, 2026), <https://www.nbcboston.com/news/local/massachusetts-world-cup-america250-events-summer/3921536/>.

² Order on Plaintiffs’ Motion for Preliminary Injunction at 62, Nat’l Parks Conservation Ass’n v. United States Dep’t of Interior, 1:26-cv-10877-AK (D. Mass. June 12, 2026) [hereinafter “D. Mass. Order”].

“Monument”), created to honor those soldiers and the principles for which they fought, has now stood for almost two hundred years, serving as a testament to Boston’s revolutionary past. The Monument endures as a symbol through which Bostonians and countless visitors to this hallowed battleground have remembered, reinforced, and renewed the meaning of the American Revolution.

On June 4, 2026, the National Park Service (“NPS”) threatened to undermine this revolutionary legacy by ordering the removal of banners exhibiting three quotations that bear witness to the Monument’s lasting significance in Americans’ evolving fight for liberty.³ The targeted quotations, from a letter published in an abolitionist newspaper, an editorial in the newspaper of the Boston Archdiocese, and a letter written by a prominent Vietnam-era anti-war group, all show the Monument’s historical impact as a symbol invoked and interpreted by successive generations in fights for a more just and free America. These struggles, and the progress they have catalyzed, are fundamental to the identity of Bunker Hill, the City of Boston, and the United States.

Boston submits this brief in support of Plaintiff-Appellees’ Opposition to Defendant-Appellants’ Emergency Motion for Stay Pending Appeal. The

³ Jake Spring, *Park Service orders removal of ‘woke’ quotes at Boston’s Bunker Hill monument*, Wash. Post (June 4, 2026), <https://www.washingtonpost.com/climate-environment/2026/06/04/park-service-orders-removal-woke-quotes-bostons-bunker-hill-monument/>.

injunction should remain to protect the integrity of our shared history at our nation's parks, "America's largest classrooms."⁴

BACKGROUND

The Bunker Hill Monument, a 221-foot granite obelisk, stands on a six-acre parcel in the Charlestown neighborhood of Boston.⁵ In 1825, at the 50th anniversary of the Battle of Bunker Hill, the Marquis de Lafayette and then-Congressman Daniel Webster laid the cornerstone of the Monument.⁶ At the cornerstone ceremony, Webster proclaimed that the Monument should "foster a constant regard for the principles of the Revolution."⁷ Upon his death in France in 1834, Lafayette was laid to rest beneath soil from Bunker Hill, collected during his final visit to America.⁸

Now, as the country celebrates its 250th Anniversary, President Trump and the Secretary of the Interior have sought to whitewash many treasured educational sites, burying the complexities and contradictions of American history and obscuring from view the struggles, successes, interpretations, and contributions of

⁴ D. Mass. Order at 2.

⁵ Patricia Quintero Brouillette and Margaret Coffin Brown, *Bunker Hill Monument: Cultural Landscape Report for Boston National Historical Park Charlestown*, (2000), <https://npshistory.com/publications/bost/clr-bunker-hill-mon.pdf> [hereinafter "CLR"].

⁶ CLR at 15.

⁷ Alexander S. Twombly, *Daniel Webster's First Oration at Bunker Hill*, (June 17, 1825), https://upload.wikimedia.org/wikipedia/commons/1/11/Daniel_Webster%27s_first_oration_at_Bunker_Hill%2C_June_17%2C_1825%3B_%28IA_danielwebstersfi01webs%29.pdf.

⁸ *The Marquis de Lafayette*, Lafayette College, <https://about.lafayette.edu/mission-and-history-old/the-marquis-de-lafayette/>.

groups they disfavor. NPS’s plan to remove these exhibits represents a sharp departure from its long tradition of faithful stewardship and its obligation to “present factual and balanced presentations of the many American cultures, heritages, and histories.”⁹ At Bunker Hill, NPS’s actions betray a long collaboration at the site between the City of Boston, the National Park Service, and the Commonwealth of Massachusetts.

For centuries, the City of Boston has worked to preserve historic sites that played key roles in our nation’s founding. In advance of the nation’s bicentennial celebration, Senator Edward M. Kennedy spearheaded the establishment of the Boston National Historical Park (“BNHP”)—a collaborative effort among the City of Boston, the Commonwealth, and the National Park Service—to preserve, protect, and promote key historic sites that reflect the City’s revolutionary past for future generations.¹⁰ The sites, including the Monument, Faneuil Hall, the USS Constitution, and Dorchester Heights, alongside the Boston African American National Historic Site,¹¹ invite residents, school children, and visitors from across the world to grapple with the ideas and ideals of revolutionary America, the

⁹ NPS, *Director’s Order #6: Interpretation and Education* (Jan. 19, 2005), <https://perma.cc/YU55-PJ7B>.

¹⁰ Seth C. Bruggeman, NPS, *Trails to Freedom: An Administrative History of Boston National Historical Park*, (2019), at 70-71.

¹¹ *Id.* at 143-45.

diverse communities that shaped its growth, and the ongoing relevance and meaning of these founding values in our lives today.

The City remains active in the management of BNHP. BNHP sites are connected by the Freedom Trail, an icon of revolutionary history that is overseen by both the City's Freedom Trail Commission, a five-member body of mayoral appointees endowed by state law with authority over the Trail, and the Freedom Trail Foundation, of which Boston Mayor Michelle Wu is Honorary Chair.¹²

Among the Freedom Trail's landmarks, Faneuil Hall is owned by the City with access granted to NPS for a visitors' center and public education; the Old State House is owned by the City and operated by a nonprofit; and the Bunker Hill Museum is leased by NPS from the City.¹³ Collectively, these sites—with the City, the Commonwealth, NPS, and nonprofit partners partnering as their stewards—tell the revolutionary history that is at the core of Boston's identity.

The federal government is abandoning this long-standing partnership in its attempt to rewrite history, leaving the telling of Bunker Hill's role in fights for

¹² Freedom Trail Foundation: Board of Directors, <https://www.thefreedomtrail.org/freedom-trail-foundation/board-directors>; Freedom Trail Commission, <https://www.boston.gov/departments/public-works/freedom-trail-commission>; Massachusetts Senate Act No. 33, ch. 625, *An Act Providing for an Official Designation and Delineation of a Freedom Trail in the City of Boston, The Commonwealth of Massachusetts*, January 1965; see also Boston Municipal Code ch. VII, § 7-6.

¹³ NPS, *Foundation Document: Boston National Historical Park*, (2015), <https://npshistory.com/publications/foundation-documents/bost-fd-2015.pdf> [hereinafter *Foundation Document*].

freedom both diminished and incomplete. Boston, honoring the revolutionary ideals fought for in Charlestown in 1775, is committed to telling the nation's *whole* history; not only the federal government's "favored fragments."¹⁴

ARGUMENT

I. THE SECRETARY'S ORDER VIOLATES NPS'S STATUTORY REQUIREMENTS REGARDING THE MAINTENANCE AND ADMINISTRATION OF NATIONAL PARK SITES

The mission of NPS is to preserve "unimpaired the natural and cultural resources and values of the National Park System for the enjoyment, education, and inspiration of this and future generations" while "cooperat[ing] with partners" to advance this goal.¹⁵ Congress has consistently directed NPS to further the specific values that underpin each site. In 2016, Congress authorized NPS to regularly review education programs to ensure they "reflect different cultural backgrounds, ages, education, gender, abilities, ethnicity, and needs."¹⁶ The National Park Director's Order #6 reflects this Congressional charge. It provides that NPS "will present factual and balanced presentations of the many American

¹⁴ D. Mass. Order at 2.

¹⁵ NPS, *About Us*, <https://www.nps.gov/aboutus/index.htm>; see also 54 U.S.C. § 100101(a).

¹⁶ 54 U.S.C. §§ 100802-100803.

cultures, heritages, and histories,” recognizing that “[b]road civic engagement” includes “multiple points of view and potentially sensitive issues.”¹⁷

On March 27, 2025, President Trump, through an Executive Order titled “Restoring Truth and Sanity to American History,” ordered NPS to violate its statutory obligations.¹⁸ As the District Court properly found, this Executive Order was a direct blow to the “millions of parents, educators, park visitors, and community groups who rely on the parks as a critical resource to learn and teach the most complete and accurate history and science possible.”¹⁹ In adopting the Executive Order through Secretary’s Order 3431, Secretary Burgum seeks to implement the President’s unlawful directive, including through the removal of quotations from Boston’s Bunker Hill Monument.²⁰

II. THE SECRETARY’S ORDER WOULD HARM THE CITY OF BOSTON BY PRESENTING A LIMITED HISTORY OF ONE OF ITS MOST SIGNIFICANT HISTORIC SITES AND BETRAYING THE VALUES OF THE MONUMENT

¹⁷ *Director’s Order #6*, supra n.9.

¹⁸ Exec. Order No. 14253, *Restoring Truth and Sanity to American History*, 90 Fed. Reg. 14563 (Apr. 3, 2025).

¹⁹ D. Mass. Order at 34.

²⁰ Tonya Alanez and Chloe Pisani, *Quotes about slavery, immigrants, and war memorials slated for removal from Bunker Hill historic site*, Boston Globe (June 4, 2026), <https://www.bostonglobe.com/2026/06/04/metro/bunker-hill-monument-quotes-removed-censorship/>.

Before the District of Massachusetts entered its injunction, NPS ordered the removal of displays featuring three quotations that reflect Bunker Hill's continued significance in battles for liberty across our nation's history.²¹ The federal government seeks to scrub from the Monument quotations from: (1) abolitionist G.B. Stebbins, published in *The Liberator* newspaper; (2) the writers of *The Pilot*, the newspaper of Boston's Archdiocese; and (3) anti-war protestors Arthur Johnson and Bestor Cram published in the *Boston Globe*.²² Each quotation reflects the historical contributions of a marginalized group or movement, and acknowledges the Bunker Hill Monument's function as both a symbol of revolutionary values and a mirror back on the society gazing up at its heights. By selectively removing references to abolitionists, immigrants, and activists who invoked the Monument and the values of freedom and liberty it stands for during their struggles for justice, NPS fails in its obligations.²³

a. Boston's Role in the Abolitionist Movement: Quotation from *The Liberator*

As we drew near to Boston, there stood Bunker Hill Monument, towering up towards the heavens, as if in silent, bitter mockery of the millions of slaves guarded by the professed lovers of Liberty, who reared its lofty column.

G.B. Stebbins to William Lloyd Garrison, Letter in *The Liberator*, May 22, 1846.

²¹ Id.

²² Id.

²³ Director's Order #6, supra n.9, at n.2.

NPS seeks to remove this quotation, which connects the Monument's visitors to Boston's abolitionist history. The quotation was published in the Boston-based *Liberator* in 1846, when abolitionist G.B. Stebbins wrote a letter to the editor noting the contradiction of such an impressive monument to freedom while slavery was still condoned in the United States.²⁴ At that time, *The Liberator* was the country's preeminent abolitionist newspaper.²⁵ The first edition of the paper featured a promise to "lift up the standard of emancipation in the eyes of the nation, *within sight of Bunker Hill and in the birth place of liberty.*"²⁶ The esteemed abolitionist Frederick Douglass was an avid reader of the paper after escaping slavery and moving to Massachusetts, describing the paper as "my meat and my drink."²⁷

In the 35 years *The Liberator* was published, "Bunker Hill" appeared in the paper's text over 500 times, serving as a reminder of the Revolution's promise of freedom, which was unfulfilled for so many Americans.²⁸ In removing the

²⁴ G. B. Stebbins, *May Day --- North and South*, *The Liberator*, May 22, 1846, https://www.digitalcommonwealth.org/book_viewer/commonwealth:gb19h555q#?cv=3&h=%22there%20stood%20Bunker%20Hill%20monument%22&xywh=351%2C4172%2C2383%2C955.

²⁵ NPS, *The Liberator*, <https://www.nps.gov/articles/000/the-liberator.htm>.

²⁶ William Lloyd Garrison, *To The Public*, *The Liberator*, January 1, 1831, https://www.masshist.org/database/viewer.php?item_id=1698&mode=large&img_step=1& (emphasis in original).

²⁷ *Supra* n.25.

²⁸ Digital Commonwealth: *The Liberator* (1831–1865) (database).

quotation from display at the Monument, NPS would deny the Monument's history as a symbol of the evolving struggle for freedom in the United States.

b. The Irish-American Fight for Acceptance: Quotation from *The Pilot*

Now that a public orator has declared that foreign-born men have no association with the men of the Revolution, it is our duty to show that in love of freedom and loyalty to the Republic, the citizens of foreign birth take no second place.

"To Our Irish Societies," *The Pilot*, May 8, 1875.

NPS also intends to remove this quotation, which commemorates Bunker Hill's significance in the Irish-American community's struggle to be recognized as fully American. *The Boston Pilot* ("*The Pilot*") was the newspaper of the Archdiocese of Boston, and the Archdiocese's message was a call to action for Boston's Irish immigrant community to show their patriotism at the Centennial celebration of the Battle of Bunker Hill.²⁹ During the 19th century, Irish immigrants faced an onslaught of anti-immigrant and anti-Catholic discrimination in Boston.³⁰ At the 100th anniversary of the Revolution, for example, one speaker proclaimed: "Th[e] enormous influx of foreigners has added an immense ignorance, and entire unfamiliarity with republican ideas and habits, to the voting-

²⁹ Boston College Libraries, *The Boston Pilot in the 1840's* (Feb. 22, 2018), <https://libguides.bc.edu/boston-pilot-story>.

³⁰ NPS, *Irish Claims to the Revolution*, <https://www.nps.gov/articles/000/irish-claims-to-the-revolution.htm>.

class.”³¹ Countering such vitriol, the Irish community in Boston joined the Bunker Hill Centennial celebration in droves.³² The removal of this quotation would erase this important historical chapter for the Monument and Boston’s large Irish-American community.

c. The Monument as Protest Site: Quotation from Vietnam Veterans Against the War

We find, upon reflection, that our duty to our country has not ended We, as Vietnam Veterans, strongly feel that the United States should cease to build memorials to death and begin to glorify life.

Arthur Johnson & Bestor Cram, Vietnam Veterans Against the War, Letter in *The Boston Globe*, May 23, 1971.

Finally, NPS has targeted this quotation, which is displayed to educate visitors about a historically significant protest at the Monument. The authors were New England Coordinators for Vietnam Veterans Against the War (“VVAW”).³³ Johnson and Cram wrote the quoted letter to the editor of the Boston Globe on May 23, 1971. The next week, coinciding with Memorial Day, VVAW organized more than 200 veterans to travel from Concord to Boston, protesting America’s continued involvement in Vietnam with an homage to William Dawes and Paul Revere’s famous ride. The group of veterans marched through Charlestown and eventually made camp at the Bunker Hill Monument, cheered on along the way by

³¹ Id.

³² Id.

³³ Arthur Johnson and Bestor Cram, ‘...to glorify life’, Boston Globe, May 23, 1971, at A-7.

neighborhood mothers who also became powerful advocates for ending the war.³⁴

The group camped and rallied at the Monument, invoking the sacrifices made at Bunker Hill to argue that the ongoing military campaign in Vietnam did not further the values of the Revolution.³⁵

Commemorating this history is essential to the fulfillment of NPS's obligation to "help people understand and participate in our civil democratic society."³⁶ NPS's decision to erase the VVAW's words marks a surrender of NPS's role as a facilitator of robust civil discourse on issues of national importance.

CONCLUSION

Since June of 1775, people throughout the world have closely linked the Battle of Bunker Hill with the founding ideas of the Revolution and the willingness of ordinary Americans to fight and die in the service of those same truths. For nearly two centuries, visitors to the site have gazed upon the Bunker Hill Monument and considered those same ideas of freedom, liberty, and equality, not as understood in the past, but in their own present. Those centuries of reflection and reinterpretation, unfolding as the City and the world below the Monument

³⁴ NPS, *Operation POW*, https://www.nps.gov/articles/000/operation-pow.htm#_ftn11

³⁵ *Id.*

³⁶ Director's Order #6, *supra* n.12.

evolved, are the story the President Trump seeks to erase. The patriots honored by the Bunker Hill Monument were among the earliest to sacrifice for the cause of American freedom, and NPS has an obligation to present a full telling of their history and the subsequent battles for freedom that their sacrifices made possible.

Dated: June 23, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on June 23, 2026, the foregoing was electronically filed through this Court's CM/ECF system, which will send a notice of filing to all registered users.

/s/Megan Corrigan
Megan Corrigan

CERTIFICATE OF COMPLIANCE

This document complies with the type-volume limits of Fed. R. App. P. 27(d)(2) and Fed. R. App. P. 29(a)(5) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 2,599 words.

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/s/Megan Corrigan
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