

MEDIA Q&A

Cultural Heritage Partners, PLLC Lawsuit Regarding the Eisenhower Executive Office Building

1. What is this lawsuit about?

This lawsuit asks the federal court to temporarily halt any action to clean, repoint, or paint entirely white the Eisenhower Executive Office Building (“EEOB”) until the government complies with federal law, specifically the National Environmental Policy Act (“NEPA”) and the National Historic Preservation Act (“NHPA”). Both laws require analysis, transparency, expert consultation, and public participation before irreversible changes to a historic federal property may proceed. Because the building is also a National Landmark and is located within a National Historic Landmark district, heightened scrutiny of any plans are required.

2. Has the President already taken steps to paint the EEOB?

On Wednesday, November 12, the president publicly expressed his intent to paint the building entirely white, including its polished granite, slate roofs, and black ironwork. This lawsuit does *not* assume that any work has begun. Instead, it ensures that no federal action takes place prematurely without the legally required public processes. We are concerned that action is imminent, given the president’s recent demolition of the East Wing of the White House, which occurred quickly, without compliance with federal law, no public input, and with false assurances that the building would not be harmed in the president’s plans to build a ballroom.

3. Why is painting the EEOB considered an “irreversible” action?

The EEOB’s **stone façade, cast ironwork, and slate mansard roof are character-defining features** of a National Historic Landmark.

Painting stone:

- Permanently alters the building’s appearance;
- Bonds to the stone in a way that is extremely difficult or impossible to reverse; and
- Damages the underlying material if removed.

Slate is slightly porous and is particularly vulnerable to breakage in freeze/thaw conditions if moisture is trapped in the stone due to impermeable paint barriers. Furthermore, the methods needed to remove paint and expose the natural stone material that was historically accurate for its construction would be much more logistically challenging than the original paint job, and would likely be cost-prohibitive on a building as large and complex as the EEOB. Consequently, such a color change would likely be effectively permanent.

Historic preservation standards treat such alterations as major, permanent interventions.

4. What specific laws do Plaintiffs believe would be violated if action proceeded without review?

Two cornerstone laws:

1. **NEPA** – Requires a “hard look” at potential impacts to the environment, including cultural and historic resources, before federal action is taken.
2. **NHPA Section 110** - Requires federal agencies prior to the approval of any Federal undertaking that may directly and adversely affect any National Historic Landmark, the head of the responsible Federal agency shall to the maximum extent possible undertake such planning and actions as may be necessary to minimize harm to the landmark and give the Advisory Council on Historic Preservation an opportunity to comment.
3. **NHPA Section 106** – Requires consultation with preservation experts, including the Advisory Council on Historic Preservation and the State Historic Preservation Office, before altering historic properties.

Neither process has been initiated.

5. Who is filing the lawsuit?

The plaintiffs are:

- **Cultural Heritage Partners, PLLC**, a law firm dedicated to the protection of historic places and cultural heritage; and
- The **firm’s founding partners**, Greg Werkheiser and Marion Werkheiser, in their individual capacities.
- The **DC Preservation League**, a nonprofit dedicated to historic preservation in the District of Columbia.

6. Why is a private law firm bringing this case?

Cultural Heritage Partners’ mission—and its professional work—is grounded in the principle that **federal preservation laws must be followed by every administration, regardless of politics**. The firm’s interests align with the public’s interest in transparent, lawful stewardship of nationally significant landmarks.

7. What does NEPA require in this context?

Before altering a historic federal building, NEPA requires:

- Identification of the potential environmental and cultural impacts;
- Consideration of alternatives;
- Opportunities for public input; and
- A documented decision-making process.

Painting the EEOB is the type of federal action that triggers NEPA review.

8. What does the NHPA Section 110 process require?

Section 110 requires that prior to the approval of any Federal undertaking that may directly and adversely affect any National Historic Landmark, the head of the responsible Federal agency shall to the maximum extent possible undertake such planning and actions as may be necessary to minimize harm to the landmark and give the Advisory Council on Historic Preservation an opportunity to comment.

9. What does the NHPA Section 106 process require?

Section 106 requires the federal agency to:

- Consult with historic preservation offices and interested parties;
- Identify historic properties that may be affected;
- Assess potential “adverse effects” to historic properties; and
- Seek to resolve adverse effects.

This process ensures expertise and public oversight.

10. What is the remedy the lawsuit seeks?

The plaintiffs seek a **Temporary Restraining Order** and **Preliminary Injunction** that would:

1. Prohibit any action related to painting or visually altering the EEOB
2. Require full compliance with NEPA and NHPA before any decisions proceed.

11. Are you saying the President *cannot* paint the EEOB?

No. The lawsuit does **not** seek to prevent the President or federal agencies from exploring or proposing changes. It only seeks to ensure that **any decision is made lawfully**, with the analysis and consultation that Congress requires.

12. Is this lawsuit politically motivated?

No. The preservation of art, artifacts, buildings, landscapes, and practices that are important to the American people is not a partisan objective: it brings value to every person.

The lawsuit is about:

- **Historic preservation,**
- **Federal compliance,** and
- **Protecting public process**—not political ideology.

13. What happens next?

- The suit will be filed today.
- The motion in support of the request for preliminary injunction will be filed Monday.
- A judge will review the request for emergency relief.
- The government will be asked to respond.
- The court may schedule a hearing on the preliminary injunction.

Updates will be provided as events unfold.

14. Will the plaintiffs be available for interviews?

Yes. Interviews will be available beginning upon issuance of the press release and continuing as needed.

Media Contact

Greg Werkheiser

Cultural Heritage Partners, PLLC

(703) 408-2002

greg@culturalheritagepartners.com

www.culturalheritagepartners.com

#