

Remarks of Greg Werkheiser
Founding Partner, Attorney at Law, Cultural Heritage Partners, PLLC
Counsel to the DC Preservation League
On the President's Plan to Paint the Eisenhower Executive Office Building
To the National Capital Planning Commission
May 7, 2026

Good afternoon, Commissioners. Thank you for the opportunity to speak. And thank you to your staff for their expertise, professionalism, and integrity.

My name is Greg Werkheiser. I am a founding partner at the law firm Cultural Heritage Partners. We are legal counsel to the DC Preservation League, one of the plaintiffs in the lawsuit challenging the Administration's failure to follow federal law in advancing President Trump's personal desire to paint the EEOB.

We are here, in plain terms, because painting is a terrible idea—and so far, no one with influence has had the courage to tell the President, “no.”

First, as a threshold matter, this proposal is before you unlawfully.

Changes to the EEOB are subject to review under the National Historic Preservation Act and the National Environmental Policy Act.

The General Services Administration is responsible for that review.

It may only delegate those responsibilities to another federal agency.

Yet, the White House has pressured GSA into attempting to delegate its authority to the President's Own Office of Administration—which is not a federal agency.

Why?

Because federal courts cannot review a decision to harm a historic building made by a non-agency.

Now the White House will tell you—don't worry, they are voluntarily complying with those laws. But voluntary compliance is not compliance. They taught us that in law school, didn't they Mr Chairman?

If you endorse these jurisdictional shenanigans, any President could bypass review of any project affecting historic properties simply by routing them through the White house and insulating them from judicial review.

The American people should not have to accept “trust us” in place of mandatory legal protections for the places that matter most to them.

Now let’s talk about the expert consensus.

We surveyed 25 of the nation’s leading architects, conservators, and experts in masonry and paint regarding this exact proposal—this exact building, this exact granite, and this exact type of paint.

These professionals have led some of the most important restoration projects in the United States, including the White House and the U.S. Capitol. Several trained in Europe with the manufacturers of the very mineral silicate paint systems being proposed here.

Collectively, they represent more than 650 years of professional experience.

Their conclusions were unanimous and straightforward:

1. Do not paint the granite—under any circumstances, and with any type of paint, including mineral silicate paint.
2. The claimed benefits of mineral silicate paint depends on a chemical bond that does not occur with granite.
3. The paint will not strengthen the building or protect it. In fact, the preparation process itself will permanently damage the stone surface. The coating will trap moisture and accelerate deterioration.
4. Staining will still occur—except now the stains will appear more visibly against a bright white surface.
5. Once applied, the paint cannot be removed without causing additional significant damage to the building’s intricate masonry.
6. Maintenance requirements will become effectively continuous. This building will become the Golden Gate Bridge: by the time paint is completed on one side, it will be time to begin again on the other.
7. Scaffolding and workers will become permanent features of one of the nation’s most sensitive security environments.

8. And finally, there was unanimous agreement that painting the EEOB white would be obviously historically inappropriate and visually destructive to the larger context in which it sits.

These are not abstract academic opinions.

These are the experts who will testify in federal court.

And their testimony will be weighed against any determination by this Commission that painting this National Historic Landmark is appropriate.

You are being asked to depart from decades of preservation guidance.

We have been unable to identify a single instance in which this Commission has endorsed painting historically unpainted granite. If such examples exist, Mr. Chairman, we would welcome the opportunity to review them.

Nor are you merely being asked to depart from NCPC precedent.

For nearly half a century, the federal government has consistently recognized that painting historically unpainted granite is inappropriate, harmful, and contrary to sound preservation practice.

Those standards have not changed.

So what has changed?

Only that a single man who is temporarily President thinks white paint is prettier than granite.

Three years from now, when this President is no longer in office—when the paint is peeling, the granite is deteriorating, the white surface is stained, scaffolding has become routine, and maintenance costs are spiraling—will you still stand by a vote to proceed?

This proposal is not serious.

The submission before you contains no meaningful technical analysis.

There are no credible case studies showing long-term success painting comparable historic granite buildings.

No lifecycle cost analysis.

No meaningful operational assessment.

No identified experts publicly supporting the proposal.

No serious discussion of long-term maintenance consequences.

Even the paint testing strategy you've just heard from the government contains glaring omissions.

Those of you who have served on this Commission for years know this is not how serious review is supposed to work.

Your staff has recommended that you request all of this missing information.

You should require all of the missing information.

Because the legal standard that will govern judicial review of your decision is whether it is arbitrary and capricious.

For the non-lawyers in the room, that means whether the decision to paint disregards the overwhelming weight of evidence and expertise.

Thousands of experts, preservation professionals, and members of the public have opposed this proposal.

None have come forward publicly in support of it.

If this Commission nevertheless concludes that painting this National Historic Landmark is appropriate, a court will rightly view your decision with profound skepticism.

So, we ask you to think carefully about your own professional legacies, and about the credibility of this Commission, before you bless a proposal and precedent that future preservationists will spend generations trying to undo.

Thank you.

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Remarks of Marion Werkheiser
Founding Partner, Attorney at Law, Cultural Heritage Partners, PLLC
On Behalf of Cultural Heritage Partners
On the President's Plan to Paint the Eisenhower Executive Office Building
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Good afternoon, Commissioners and staff. Thank you for the opportunity to comment on the proposal to paint the EEOB.

My name is Marion Werkheiser. I am a founding partner of the law firm Cultural Heritage Partners. I am here on behalf of my firm, which is also a plaintiff in a lawsuit related to this matter.

I stand alongside the more 1,000 professional architects, preservationists, and design professionals who have submitted comments to the Commission of Fine Arts and now to the NCPC.

This proposal is not simply about appearance. It concerns permanence, federal stewardship, and the long-term integrity of one of the nation's most significant civic buildings.

We have submitted three exhibits for your consideration:

1. An expert consensus report regarding the proposed painting of the EEOB;
2. A presentation we prepared for the President identifying numerous ways to beautify the building without painting it; and
3. Hundreds of additional public comments opposing the proposal.

I want to make three points.

First, painting the EEOB would cause irreversible physical damage to the building.

Painting granite is not a debated issue. The Secretary of the Interior's standards for the rehabilitation of historic buildings state that historic granite should not be painted. The federal government is supposed to follow these standards when fulfilling its obligations to protect our nation's cultural heritage under Section 110 of the National Historic Preservation Act. State historic preservation officers across the country enforce these standards when private property owners renovate historic properties as part of the historic tax credit program. Why would NCPC deviate from federal standards here?

Those standards are in place for a reason. As NCPC's deeply experienced and trusted staff will tell you, granite is not meant to be painted. Proper adhesion requires abrasion of the surface, which damages the stone. Once applied, the paint traps moisture within the stone. Over time, that moisture causes cracking, flaking, and degradation of the surface.

Equally important, once paint is applied to historic masonry, it cannot be removed without further damaging the stone.

Proposals to use mineral silicate coatings do not resolve these problems. That paint is designed for substrates such as limestone and sandstone. Granite lacks the chemical properties necessary for proper bonding. This conclusion is supported by leading experts in stone conservation and preservation science, who agree such paints may perform worse on granite than even conventional paint.

The experts' views are clear and consistent: painting the EEOB's granite will cause lasting damage to the building.

For these reasons, longstanding federal preservation guidance is clear: historic granite should not be painted.

Second, painting the EEOB would fundamentally alter one of the most important civic compositions in the United States.

The EEOB was designed to showcase the natural tone and texture of its stone. The gray granite is not incidental—it is the design.

It also plays a critical role in the visual balance of this part of Washington. The EEOB and the Treasury Building frame and highlight the White House. Their gray tones allow the White House to stand apart as the singular white focal point. The contrast between the gray masonry buildings and the White House's white façade is intentional and essential.

Painting the EEOB white—particularly given its larger scale—would disrupt that balance and diminish the White House as the focal point of this civic landscape.

This is not a minor visual change. It is a fundamental change to how one of the most important places in the country is experienced.

Third, there are better, proven alternatives that achieve the stated goal—without harm.

As your materials show, the building hasn't been cleaned in at least 12 years. Conservation-grade cleaning can restore the granite's natural brightness and uniformity without altering the material itself.

Repointing can restore the clarity and durability of the masonry.

The addition of modern lighting could dramatically enhance the building's presence, day and night, in ways that are fully reversible.

Even simple interventions—like window treatments that increase light reflectivity—can significantly lighten the building's appearance at low cost and no risk.

Improved landscaping, too, can brighten the building's appeal.

These are not theoretical ideas. They are standard, accepted, and effective preservation practices.

If the President would pursue these beautification efforts and leave the painting concept behind, he would have the support and gratitude of the American people.

Finally, I want to close with a reminder of how this building has been understood across generations.

In 1988, President Ronald Reagan wrote of the Old Executive Office Building as “one of America's finest examples” of its architectural style, and “an architectural treasure.” He noted that time had added to its dignity—and that its preservation reflects the best of our national character.

This sentiment is exactly right.

This building has endured for more than a century because each generation has chosen to preserve it—not to remake it.

Last week Susan Eisenhower, granddaughter of President Eisenhower, spoke up to remind us that this building belongs not to any single person, not even to the President of the United States, but rather it belongs to the American people.

Conclusion

This proposal asks you to approve a permanent, irreversible change to a National Historic Landmark that will:

- Damage the building's material fabric,

- Alter a defining civic landscape,
- Violate the government's own standards for treatment of historic buildings, and
- Violate the government's duty to protect National Historic Landmarks from harm.

This proposal noticeably lacks almost all of the information that NCPD Submission Guidelines request at the concept review stage. It does not include a project cost estimate, it does not identify whether any historic resources are located within the project area or could be affected by the project, and it does not address any options for mitigating the harm.

There is a better path—one that enhances the building while respecting its history, its materials, and its role in our national identity.

I urge you to reject the proposal.

Thank you.

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