

**Congress of the United States**  
**Washington, DC 20515**

April 19, 2010

The Honorable Tom Tidwell, Chief  
United States Forest Service  
1400 Independence Ave. SW  
Washington, D.C. 20250

Dear Chief Tidwell:

We write to ensure that you uphold the clear statutory language of the Wilderness Act of 1964. Recently, several of our colleagues wrote to encourage you to manage Recommended Wilderness Areas as *de facto* Wilderness Areas. We strongly object to their misinterpretation of the law and their willing suggestion that your agency usurp Congressional authority.

The Wilderness Act states: "...there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by the Congress as wilderness areas...". The law is crystal clear that the power to designate wilderness rests squarely and solely with the Congress. It is a baseless, twisted reading of the law to suggest that Congress intended to allow an agency to administratively declare an area as recommended for wilderness designation and then to manage that area exactly as if Congress had taken action to make such a designation.

Designating an area as wilderness imposes the most restrictive land use policies that can be taken. As you well know, it places severe limitations on public access to public lands, prohibits motorized and mechanized recreation, severely restricts job-creating and energy producing activities, responsible timber management, and decreases capabilities to respond to fires and emergencies as roads, trails, structures and other facilities are banned. Wilderness designations are not actions that should be taken lightly, which is why the Act was specific in restricting the ability to make designations to Congress so as to ensure a careful, public, and deliberative process. This is the proper approach. The Congressional process allows for local stakeholder involvement and makes certain that those impacted have a true voice through the representative branch of government. While not perfect, this process allows local citizens, many of whom have livelihoods dependent upon activities potentially affected by the public lands in question, to have their voices heard. This should not be wiped away by the stroke of pen by a non-elected official acting outside this open, public process and against the unambiguous intent of the Wilderness Act.

Lastly, we are compelled to note that the lead signatories of the letter to you serve as the Chairmen of the full Natural Resources Committee and the Subcommittee on National Parks, Forests and Public Lands. It is within the authority of these two Chairmen to act to move

wilderness designation legislation, and yet they write asking that you exercise authority that is rightly that of Congress. They cite an enormous amount of potential wilderness acreage to be designated or under consideration by Congress, but neither the House Committee nor the full House of Representatives has acted to consider legislation approaching anywhere close to that amount of land. Only two conclusions can be drawn from their seeking you to act when they do not, either they are unwilling to advance such wilderness designations or they know they don't have the votes to accomplish it. Whichever the reason, lack of interest or lack of ability to succeed, this is even further justification for the agency to reject their request and to fully abide by the Act by not managing Recommended Wilderness Areas as *de facto* Wilderness Areas.

A copy of this letter will be sent to the directors of other land management agencies within the government to share a similar message and reminder of the clear words of the Wilderness Act. Thank you.

Sincerely,



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Doc Hastings  
Member of Congress



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Rob Bishop  
Member of Congress

Doug Lamborn

Doug Lamborn  
Member of Congress

Cathy McMorris Rodgers

Cathy McMorris Rodgers  
Member of Congress

Elton Gallegly

Elton Gallegly  
Member of Congress

John J. Duncan

John J. Duncan  
Member of Congress

Paul Broun

Paul Broun  
Member of Congress

Bill Cassidy

Bill Cassidy  
Member of Congress

Wally Herger

Wally Herger  
Member of Congress

Dean Heller

Dean Heller  
Member of Congress

Tom McClintock

Tom McClintock  
Member of Congress

Jeff Flake

Jeff Flake  
Member of Congress

Louie Gohmert

Louie Gohmert  
Member of Congress

Cynthia Lummis

Cynthia Lummis  
Member of Congress

Jason Chaffetz

Jason Chaffetz  
Member of Congress

Greg Walden

Greg Walden  
Member of Congress

Dennis Rehberg

Dennis Rehberg  
Member of Congress

John Flornia

Member of Congress

Cc: BLM Director  
NPS Director  
FWS Director