

Congress of the United States

Washington, DC 20510

October 9, 2013

The Honorable Daniel Ashe
Director – U.S. Fish and Wildlife Service
U.S. Department of the Interior
1849 C Street NW, Room 3359
Washington, DC 20240

Dear Director Ashe:

We write with regard to the U.S. Fish and Wildlife Service's (USFWS) recent decision to suspend valid permits during the government shutdown, which prohibits commercial guides and air taxi operators from accessing or using Refuge lands in Alaska. This stands in stark contrast to management decisions made by the National Park Service and Bureau of Land Management, whose lands appropriately remain open in our state. We request your immediate review of this decision and urge you to lift the current suspensions of these permits.

Many Alaskans depend upon air taxi operators for their rightful access to lands that provide sustenance for subsistence purposes. By suspending air taxi permits, the USFWS has effectively disallowed basic access rights legally granted through Section 1110(a) of the Alaska National Interest Lands Conservation Act (ANILCA). Under that law, Alaska's Refuges are mandatorily open to hunting and access is guaranteed.

Further, the National Wildlife Refuge Improvement Act of 1997 made hunting a priority public use. More important, once hunting is found to be a compatible activity in a Refuge, the Act requires the USFWS to facilitate it. While the agency may not have funds to actively facilitate hunting during the shutdown, there is no question that any closure edict runs contrary to the letter and spirit of this law, as well.

Finally, on a broad policy basis under ANILCA, Refuge lands in Alaska (with a handful of exceptions) are to be generally accessible. No special permit is needed for access, and no entrance fees may be charged. While USFWS may impose an emergency closure if needed to protect a highly specific site or resource, it may not impose blanket closures of millions of acres. Section 1110(a) of ANILCA was demanded by the Alaska Delegation specifically to ensure that the federal government would not arbitrarily close off access to public lands in the state—as is now happening.

You must understand that your actions are having a dramatic impact on many Alaskans' ability to feed and care for themselves. You have denied access and closed lands that Alaskans depend on, and which are legally required to remain open. We urge you to immediately revoke your agency's current order and closures and to fully afford Alaskans the rights granted to them under federal law.

Sincerely,


Don Young
Congressman for all Alaska


Lisa Murkowski
United States Senator