



United States Department of the Interior

03-268

NATIONAL PARK SERVICE  
P.O. BOX 37137  
WASHINGTON, D.C. 20013-7137

IN REPLY REFER TO:

A7217(190)

TRANSFER OF CORRESPONDENCE

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b7c

To: Mr. Dale Bosworth  
Chief, Forest Service  
Department of Agriculture  
P.O. Box 96090, Washington, D.C. 20090-6090

The attached correspondence is hereby transferred to your Agency for review and response as appropriate.

Barbara Mikulski has been notified of this transfer by copy of this form on this date.

Name of Constituent: [REDACTED]

Date of Constituent's letter: \_\_\_\_\_

Date of Congressional inquiry: 8/14/03

Attachment(s)

Received in FS/CCU  
Initial: kt  
Control No: 4231397

BARBARA A MIKULSKI  
MARYLAND

COMMITTEES:

APPROPRIATIONS

HEALTH, EDUCATION, LABOR,  
AND PENSIONS

# United States Senate

WASHINGTON, DC 20510-2003

August 14, 2003

Ms. Fran P. Mainella  
Director  
National Park Service  
Department of the Interior  
1849 C Street, NW, Room 3112  
Washington, D.C. 20240-0001

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Dear Ms. Mainella:

Some time ago I made an inquiry to your office on behalf of Ms. [REDACTED]. To date, I have not received a final reply about this matter.

I have attached a copy of the most recent correspondence to your office.

Your assistance in expediting a reply is appreciated.

Sincerely,

Barbara A. Mikulski  
United States Senator

BAM:dgn

IN REPLY PLEASE REFER TO  
OFFICE INDICATED:

- 1829 THAMES STREET, SUITE 400  
BALTIMORE, MD 21231  
(410) 962-4510  
VOICE/TDD: (410) 962-4512
- 60 WEST STREET, SUITE 202  
ANNAPOLIS, MD 21401-2448  
(410) 262-1806  
BALTIMORE: (410) 269-1650
- 8404 IVY LANE, SUITE 406  
GREENBELT, MD 20770-1407  
(301) 345-5317
- 94 WEST WASHINGTON STREET  
HAGERSTOWN, MD 27140-8884  
(301) 787-2828
- SUITE 1E, BUILDING B  
1201 FEMBERTON DRIVE  
SALISBURY, MD 21781-2403  
(410) 846-7711

BARBARA A. MIKULSKI  
MARYLAND

COMMITTEES:

APPROPRIATIONS

HEALTH, EDUCATION, LABOR,  
AND PENSIONS

*United States Senate*

WASHINGTON, DC 20510-2003

August 2, 2002

Mr. David Bernhardt  
Director for Congressional & Governmental Affairs  
U.S. Department of the Interior  
1849 C Street N.W.  
Mailstop 6242  
Washington, D.C. 20240

Dear Mr. Bernhardt:

I would appreciate it if you would review the enclosed correspondence and would contact my office as soon as possible with the appropriate information to respond to my constituent.

Please send your response in duplicate form to the attention of my assistant, Denise Noce, in my office at 60 West Street, Suite 202, Annapolis, Maryland. 21401.

Thank you for your consideration of this matter.

Sincerely,

Barbara A. Mikulski  
United States Senator

BAM:dgn

IN REPLY PLEASE REFER TO  
OFFICE INDICATED:

- 1629 THAMES STREET, SUITE 40  
BALTIMORE, MD 21231  
(410) 862-4510  
VOICE/TDD: (410) 862-4512
- 60 WEST STREET, SUITE 202  
ANNAPOLIS, MD 21401-2448  
(410) 253-1806  
BALTIMORE: (410) 268-1850
- 8404 IVY LANE, SUITE 405  
GREENBELT, MD 20770-1407  
(301) 346-8577
- 54 WEST WASHINGTON STREET  
HAGERSTOWN, MD 27140-0804  
(301) 787-2828
- SUITE 1E, BUILDING B  
1201 PEMBERTON DRIVE  
SALISBURY, MD 21801-2403  
(410) 546-7711

CASE INFORMATION AND PRIVACY RELEASE FORM

AUTHORIZATION

In order for Senator Mikulski to be of assistance to you, it is absolutely necessary that you provide all the information requested below. Please print out the form, complete it, sign it, and mail it to the address listed below.

Name: [Redacted]

Address: [Redacted] @ school Oberlin College b6

City and Zip Code: Columbia MD 21044 Oberlin OH 44074 b7c

Daytime phone: [Redacted] Evening phone: [Redacted]

Fax number: [Redacted] Email: [Redacted]

Social Security number: [Redacted]

Please provide any other tracking numbers relevant to your case, such as Veteran Case Identification number, CSA number, IRS number, DNS number.

Federal agency you need help with: Forest Service

Brief description of the problem (attach more pages if necessary):  
Please see attached

I hereby request the assistance of the Office of United States Senator Barbara A. Mikulski in addressing the matter described above, and authorize Senator Mikulski and her staff to receive any information

Case Information and Privacy Release

which they may need in order to provide this assistance.

  
Signature\* and Date

\*Note: In order to comply with the provisions of the Privacy Act of 1974 and to be of assistance with claim(s), it is necessary that your signature be on file. (in bright contrasting color)

Please print and mail to:

United States Senator Barbara A. Mikulski  
Attention: Casework  
Brown's Wharf  
1629 Thames Street  
Suite 400  
Baltimore, Maryland 21231

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(please attach copies of any supporting documents)

My name is [REDACTED]. I am a political history major with a focus on Eastern Europe in the twentieth century Oberlin College in Ohio and a liberal registered voter in Maryland. I write to inform you of certain members of the forest service abusing their duty of protecting the forest and instead causing a peaceful gathering to turn into an attack on unarmed people.

In the last weeks of June, through the first weeks of July, in the Ottawa national forest about 7 miles north west of the small town of Watersmeet in the Upper Peninsula in Michigan "the Rainbow Family" gathered in their annual practice to pray for world peace. The Rainbow is a different thing to different people. This is one of the largest non-organizations in the world. There is no inherent hierarchy and all people are respected equally as part of their practice of peaceful respect for everyone and the environment. We all consider ourselves part of a huge, extended family, no matter what our reason for gathering, no matter what our spiritual or religious or political, economic, or social views may be. There are no membership qualifications, no fees or dues, no leaders, and virtually no rules other than the one of "peaceful respect." Each year, individuals take personal responsibility and work together with others on whatever they are inspired to do, from office work, to scouting, to building the kitchens at the gatherings, to hauling in food and first-aid supplies, to peacekeeping, etc. Every project undertaken operates essentially on a consensus basis. Participation, communication, and cooperation are how things operate.

On June 26, my friend [REDACTED] and I were helping a few other people to build a kitchen to feed the people expected to come to pray for peace on July 4<sup>th</sup>. As we stood some downed logs up to support a tarp roof for the kitchen (the rainbow family does not cut trees down, they use only downed logs to built their amazing structures, then they re-scatter the logs and rocks used as people leave the gathering again.) All day we heard reports that the forest service was cutting, with chainsaws a trail through the woods for their horses and ATV's to come into the gathering from the back. We did not think too much of the whole situation, as we did not realize that we did anything wrong according to the law. Around 4:30 p.m. [REDACTED] and I heard people yell for help, we ran along the path in the direction of the cries and up a hill. As we ran up the hill, we were confronted by about six ATV's rolling down the path. There were more in the woods and many forest service law enforcement officers on horseback too we would later find out. When we saw the ATV's I ran through the bushes and [REDACTED] ran along the path. They told him to move out of their way, he did so promptly and asked several times to know what he was doing that was illegal. First the said get out of the way or you'll be arrested, he got out of the way further and again asked what he was doing that was illegal. He was then arrested. During the whole thing he was very cooperative and compliant and asked only why he was being arrested. They responded with, "shut up." As this is happening I could only watch, I do not know what to say. Soon many more people were on top of the hill; we started to circle around the cops in hopes of talking to them reasonably that they would not arrest anyone. I tried to see if any of the officers had their badges in hope of calling attention to those who I saw dragging [REDACTED] on the ground by the chain of the handcuffs. I heard him ask that they stop hurting him, all night I worried that they broke his arm or hurt him in some way. The law enforcement officers soon pulled [REDACTED] away from the group where I could no longer see him. I started to tell everyone what I witnessed the Law Enforcement Officers doing to him. I saw another friend in the circle, he and I sat down on the ground in hopes of calming down the people and law enforcement forest rangers, and making them realize that we were not violent. We were only gathered for peaceful purposes and we were all peaceful people, uninterested in causing strife. I turned around and we opened our eyes to see four forest rangers on two ATV's driving toward us, we only had time to roll out of the way before getting hit by them. At this point, the peaceful circle turned into a mob scene. I saw a horse cross very close to a woman she starts crying, screaming that the horse had stepped on her. I was confused. I saw ATV's and horses running around the circle pushing people: men, women and children who were barefoot and hands raised, unarmed in peace, out of the way. They screamed at people, yelling at them to get off the land. Out of the woods people filed down the path with all their belongings or whatever they could carry followed by cops and forest service rangers. Soon people stopped panicking and all of the children who were on the West Side of the river walked to the other side. We circled and tried to calm ourselves down in hopes that the Law Enforcement Officers would also calm down and we could talk to them about what happened and where the people they arrested went. After about a half-hour [REDACTED] and a few other forest rangers came to the circle, they were on horseback and their horses were very skittish, I was afraid of being trampled. They came to the circle to speak with us, they said we were on an archaeological site of an early 1900's logging town. (Note: the forest in which the gathering was held is slated to be clear-cut in 2004. Why would they clear cut land with large machines where there is an important archeological dig that the forest service claimed could be disturbed by people walking carefully and barefoot.) They told us everyone has to be off

the West Side of the river by the next day at dawn or else everyone would be arrested. We asked why it was not marked that they said the discovery was recent. Soon we came to the agreement that everyone would leave the West Side by Dawn. A woman came running out of the woods and said that while we have been peacefully talking and we came to some agreement, the other forest rangers were confiscating people's personal belongings and some were being destroyed. The circle broke up, I tried to talk to a forest ranger or someone who would know what happened to [REDACTED] and where I could find him and anyone else who had been arrested. At first the Law Enforcement Officers would not answer my questions then they only told me that he would be released in 2 days but they would not tell me where. I stopped trying to talk to them, I would find out where he was on my own since they would not help me. The only reason I found out where he was taken was the next day. After calling as many of the nearest towns' jails that I could find in the phone book to see if he was imprisoned there, I asked a woman working in the hardware and food store saw a girl the day before who had somehow found out. I called the Marquette federal court clerk and she said that yes he was imprisoned there and that he was going to his hearing and I could call back later. All four arrested that day are safe and sound. They were charged with camping without a permit, interference and being in a closed area.

That is exactly what I saw and experienced on the afternoon of June 26<sup>th</sup> and the morning of the 27<sup>th</sup>, 2002. I told many people and the entirety was recorded and photographed by people there. I do not know why the rainbow gathering is persecuted so vigilantly every year, it is very peaceful and leaves the forests the way they were found. I just want to alert the public to civil abuses to peaceful people.

[REDACTED]  
Oberlin College  
Oberlin, OH 44074  
[REDACTED]

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b7c



United States  
Department of  
Agriculture

Forest  
Service

Washington Office

14<sup>th</sup> & Independence SW  
P.O. Box 96090  
Washington, DC 20090-6090

File Code: 2300-1/1510

Date: NOV 21 2003

The Honorable Barbara A. Mikulski  
United States Senate  
709 Senate Hart Office Building  
Washington, DC 20510

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Dear Senator Mikulski:

I wish to apologize for not addressing your original inquiry. We had received multiple congressional inquiries on Ms. [redacted] letter and it appears your response was overlooked.

Enclosed is a copy of a letter to Senator Sarbanes addressing the same issue. I hope this will serve your needs.

As an update, a permit was issued for the 2003 gathering held in northeastern Utah. I hope this will be the first of many legal gatherings.

Should you have any questions, please do not hesitate to contact Ken Karkula at 202-205-1426.

Sincerely,

*David G. Holland*

DAVID G. HOLLAND  
Director, Recreation, Heritage,  
and Wilderness Resources

Enclosure

[redacted]

just FYI.  
May want to keep  
2<sup>nd</sup> & 3<sup>rd</sup> page as  
good generic verbage  
a







United States  
Department of  
Agriculture

Forest  
Service

Washington Office

14<sup>th</sup> & Independence SW  
P.O. Box 96090  
Washington, DC 20090-6090

File Code: 1510/2700-1

Date: NOV 22 2002

Honorable Paul Sarbanes  
United States Senate  
309 Senate Hart Office Building  
Washington, DC 20510-2002

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b7c

Dear Senator Sarbanes:

Thank you for your October 2, 2002, letter on behalf of your constituent, [REDACTED]. The event referenced in Ms. [REDACTED] letter is the annual gathering of the Rainbow Family of Living Light (Rainbow Family), held over a 2-week period around July 4. This event has been occurring on National Forest System (NFS) lands since the mid-1970s. What began as a modest gathering has now turned into a large event that attracts over 20,000 participants and impacts not only the natural resources but communities in the immediate area, particularly in regard to public health and safety.

In 1995, the Forest Service promulgated regulations governing authorization of such events. The regulations have three rationales: to protect forest resources and improvements, to address concerns of public health and safety, and to address conflicts among scheduled and existing uses of NFS lands. The Forest Service regulations were patterned after a National Park Service rule governing large group gatherings on the Mall in Washington, D.C., which strictly adheres to First Amendment requirements. Like the National Park Service rule, the Forest Service regulations require a permit to conduct a large gathering. The Forest Service permit is free, does not require insurance or bonding, and may be applied for as late as 72 hours before an event takes place. Permit applications must be granted or denied within 48 hours of receipt; if they are not they are deemed granted.

Since 1995, the Forest Service has tried to obtain a permit, which the agency requires for all large gatherings on NFS lands, from the Rainbow Family for its annual gathering. Unfortunately, the Rainbow Family has steadfastly refused to obtain a permit for most of these gatherings. The group's repeated noncompliance has compelled the Forest Service to issue notices of noncompliance to leaders of these gatherings. In every case (20, including 4 decisions in the Federal courts of appeals), the courts have found the Forest Service regulations to be constitutional. Judges are becoming increasingly frustrated with the Rainbow Family's lack of compliance and increasingly willing to impose stiff penalties, including imprisonment.

I hope that I have placed Ms. [REDACTED] letter in context. Much more background information is available concerning interaction with other elected officials (Federal, State, and local), oversight by the Senate Subcommittee on Forests and Public Land Management, and this year's effort by the Forest Service to obtain a permit from the Rainbow Family; to offer suitable alternative sites



that, in contrast to the site selected by the Rainbow Family, would meet regulatory requirements; and to address resource and public health and safety concerns at the annual Rainbow Family gathering. If you would like more information, please contact Malcolm Jowers, Commander, National Incident Management Team, at (828) 670-5261, x122.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Holland", written in a cursive style.

DAVID G. HOLLAND  
Director, Recreation, Heritage,  
and Wilderness Resources