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DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

JUN 28 2002

Malcolm Jowers
Incident Commander
National Incident Management Team
USDA Forest Service
Law Enforcement and Investigations
1577 Brevard Road
Asheville, North Carolina 29806

Dear Mr. Jowers:

I received a request from an interested party asking for clarification of three key items related to the application for and issuance of the Forest Service's noncommercial group use permit. I would like to convey to you, as the Incident Commander for the National Incident Management Team, the Department's position regarding these items.

1. Designation as a signatory and/or contact under the noncommercial permit does not imply in and of itself any leadership or officer status of that person within the group by the Forest Service.

2. As stated in clause 11 of the permit, there is no individual liability whatsoever as a result of a signature on a noncommercial group use application or permit. The person who signs the permit signs to provide his or her name solely to allow notice of actions pertaining to the permit to be communicated to the holder and to give the permit legal effect.

3. The holder named on the application and permit must be the name of a group. The Forest Service does not make any judgment or finding as to the nature of the group in making its decision regarding issuance of the permit, i.e., the mere obtaining of a permit in the name of the group does not in itself change or imply incorporation or any other formal organization of the group and/or assembled participants in the event.

Sincerely,

(sg) Mark Rey

MARK REY
Under Secretary
Natural Resources and Environment

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