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*The Delegation of Law-Making Authority to the United States Forest Service:
Implications in the Struggle for National Forest Management*

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Abstract by Erika Miller

In this article, Professor Mortimer examines the current state of the U.S. Forest Service. He asks the question of how such an experienced agency could fall into such complete disarray, concluding that the state of the Forest Service is directly related to how Congress has dealt with the issue of land management. The agency's legislative source of authority is flawed, making it difficult to clearly define its mission.

The Forest Service is plagued by the passage of vague, goal-setting laws. Congress passes laws like this for many reasons, including the desire of its members to get re-elected and to legislate efficiently. However, the congressional desire to delegate, combined with conflict and ambiguous statutes, has undermined the efficiency of the Forest Service. The conflict in the industry does not allow the Forest Service to exercise effectively its discretion. In order to reduce this conflict and to allow the Forest Service to be effective, there must be an understanding of the role of scientific management as it relates to forest management and the distrust between the agency and its critics must be understood.