

A BILL *Draft as of January 13, 2025*

To designate certain lands in the state of Texas as components of the National Wilderness Preservation System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of American in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Big Bend National Park Wilderness Act.”

SECTION 2. FINDINGS.

The Congress finds the following: —

(a) In 1964, the Wilderness Act mandated that the Secretary of the Interior review every roadless area of five thousand contiguous acres or more in the national parks, monuments and other units of the National Park System and report to the President his recommendation as to the suitability of each such area for preservation as wilderness.

(b) The Wilderness Act further mandated that on the basis of the information provided by the Secretary of the Interior, the President shall advise the Congress of his own recommendation concerning each such area.

(c) Subsequent statutes have required review of additional units of the National Park System pursuant to these requirements of the Wilderness Act.

(d) Pursuant to these Acts of Congress, past Presidents have advised the Congress of their respective recommendations with respect to the designation of wilderness lands within certain units of the National Park System.

(e) Notwithstanding the foregoing, the process of securing Wilderness designations within units of the National Park Service remains incomplete.

(f) The designation of suitable lands within units of the National Park System as wilderness is an essential step in fulfillment of the fundamental purpose of the Act and the statutory purpose underlying the establishment of the National Park System.

(g) Congress has reserved to its sole discretion the decisions to designate wilderness within the National Park System and to specify the boundary of such designations. The studies and presidential recommendations mandated by or provided pursuant to the Wilderness Act are intended to assist the Congress in exercising its prerogative to designate areas within the National Park System as wilderness.

SECTION 3. DEFINITIONS.

As used in this Act, the term—

- (a) “NPS” means the National Park Service, Department of the Interior.
- (b) “CBP” means the U.S. Customs and Border Protection, Department of Homeland Security.
- (c) “Map” means the map entitled “Big Bend National Park Wilderness, dated _____.
- (c) “MOU” means any applicable Memorandum of Understanding (MOU) between the Department of the Interior and the Department of Homeland Security regarding Customs and Border Protection (CBP) Cooperative National Security and Counterterrorism Efforts on Federal Lands Along the United States’ Borders.
- (d) “Secretary” means the Secretary of the Interior, unless otherwise specifically stated.
- (e) “UNCs” means any undocumented non-citizens.

SECTION 4. DESIGNATION OF BIG BEND NATIONAL PARK WILDERNESS.

(a) DESIGNATED WILDERNESS.—

(1) **IN GENERAL.**—In furtherance of the Wilderness Act (16 U.S.C. 1131 et seq.), certain lands in Big Bend National Park in the state of Texas, comprising approximately _____ acres, as generally depicted on the map are designated as wilderness and as components of the National Wilderness Preservation System.

(2) **NON-FEDERALLY OWNED LAND.**—There shall be no non-federally owned land within the wilderness established by this Act. In carrying out this Act, the Secretary may not use eminent domain or condemnation.

(b) POTENTIAL WILDERNESS.—

(1) **IN GENERAL.**—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), certain lands in Big Bend National Park comprising approximately _____ acres, as identified as “Potential Wilderness” as generally depicted on the map, is designated as potential wilderness.

(2) **DESIGNATION AS WILDERNESS.**—On the date on which the Secretary publishes in the Federal Register notice that any nonconforming uses in the potential wilderness designated by paragraph (1) have terminated, the potential wilderness shall be designated as wilderness and as a component of the National Wilderness Preservation System; and shall be incorporated into the Big Bend National Park Wilderness designated in subsection (a).

(c) FILING OF MAPS AND DESCRIPTIONS.—

(1) The map and a description of the boundaries of the areas designated in subsections

(a) and (b) shall be on file and available for public inspection in the appropriate offices of the NPS.

(2) As soon as practicable after the date of enactment of this Act, the map and description shall be filed with the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives. The map and description shall have the same force and effect as if included in this Act, except the Secretary may correct clerical and typographical errors in such map and description.

(3) Subsequent to or any changes made to the wilderness boundary in accordance with Section 5 (b) of this Act, the Secretary shall update the map, description, file, and availability of the wilderness map in accordance with subsections (1) and (2) of this Section.

(d) NAME OF WILDERNESS AREA.—The wilderness area designated by this section shall be known as the George Meléndez Wright Wilderness. (Statement of name may or may not be included in draft of Act; proposed name is under discussion and subject to public input.)

SECTION 5. ADMINISTRATION OF WILDERNESS AREA.

(a) IN GENERAL.—Subject to valid existing rights, the wilderness area designated by this Act shall be administered by the Secretary in accordance with the provisions of the Wilderness Act, except that –

(1) any reference in such provisions to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(2) any reference to the Secretary of Agriculture shall be considered to be a reference to the Secretary with respect to lands administered by the Secretary.

(b) MANAGEMENT OF ROAD CORRIDORS. —

(1) IN GENERAL.—To maintain the integrity, safety and viability of the network of roads, paved or unpaved, open to the operation of motor vehicles as of the date of enactment of this section in Big Bend National Park, the Secretary may adjust the boundaries of adjacent wilderness designated by this Act to accommodate minor road realignment, construction and placement of protective structures such as drainage ditches, retaining walls, culverts, etc.

(2) NO NET LOSS.—Any boundary adjustment required for the management of road corridors shall result in no net loss of wilderness as designated by this Act.

(3) SIZE OF STRUCTURES.—Any structures necessitating adjustment of the wilderness boundaries must be the minimum necessary to preserve the integrity of the existing roads or road functions without increasing their capacity.

(4) PUBLIC NOTICE AND COMMENT.—Any boundary adjustment considered under this subsection must be preceded by public notice and the opportunity to

comment in accordance with the National Environmental Policy Act (42 U.S.C. §4321, *et seq.*) and the National Historic Preservation Act (54 U.S.C. Chap. 3001 *et. seq.*). The Secretary shall publish notice of a boundary adjustment in the Federal Register once compliance is completed and approved.

SECTION 6. NATIVE AMERICAN RELIGIOUS ACCESS.

Consistent with American Indian Religious Freedom Act of 1978 (42 U.S.C. Section 1996), the Secretary shall allow reasonable ingress and egress to sites within the wilderness designated by section 4 of this Act, by American Indians for the performance of religious ceremonials and rites, so long as such ingress and egress is consistent with the limitations provided by the Wilderness Act (16 U.S.C. Section 1131, *et seq.*).

SECTION 7. BORDER SECURITY.

(a) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Nothing in this Act shall alter, amend, reduce, or enlarge any provision of any applicable MOU regarding border security between the Department of Homeland Security and the Department of the Interior on National Security and Counterterrorism Efforts on Federal Lands along the United States' Borders, which predates the passage of this Act, for as long as such MOU remains in effect.

(2) COOPERATION.—In order to provide for the security of the United States and to protect the wilderness, cultural values and wildlife resources of the lands designated as wilderness or potential wilderness by this Act, to protect those lands from environmental damage, and to provide CBP access to park lands to facilitate rescue of UNC's on park lands, the NPS and the CBP shall cooperate to the greatest extent possible to facilitate the goals of a MOU referred to in paragraph (1).

SECTION 8. SAVINGS PROVISIONS.

(a) LAW ENFORCEMENT—Nothing in this Act or designation authorized by this Act shall be construed to diminish or impact the authority existing on the date of enactment of this Act of any State, local or Federal law enforcement agency to carry out law enforcement operations within the designated wilderness area.

(b) FIRE PROTECTION—Nothing in this Act or the Wilderness Act (16 U.S.C. Section 1131, *et. seq.*) precludes the NPS or agencies acting with the permission of NPS from conducting wildland fire management operations (including prescribed burns) within the areas designated as wilderness under section 3, subject to any conditions that the Secretary deems appropriate.

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