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NFIB



ROSEBURG
AREA Chamber of
Commerce

Joint Press Statement

Mountain States Legal Foundation,

National Federation of Independent Business Small Business Legal Center

& Roseburg Area Chamber of Commerce

SMALL BUSINESSES ARE TELLING THE GOVERNMENT NO MORE

December 21, 2023 — A recent trend of presidential actions is devastating the local institutions and vibrant communities they have sworn to protect. Under the Antiquities Act, a president may designate certain areas of land to protect specific historic landmarks or other objects of historic or scientific interest on federal lands as national monuments. However, presidents and the government bureaucrats under their charge have used this Act to justify the taking of state-sized acres of land away from local control, without consultation or explanation. One such instance has recently occurred in and around the City of Roseburg, which is in southern Oregon. In that case, Mountain States Legal Foundation has stepped in to represent the National Federation of Independent Business Small Business Legal Center (NFIB Legal Center) and the Roseburg Area Chamber of Commerce, asking the U.S. Supreme Court to listen to small businesses that are telling the government “no more.” Together, we refuse to stand by and let the government destroy the livelihoods of the heart and soul of America—small businesses.

Mountain States in our two briefs filed at the Supreme Court in support of NFIB Legal Center and the Chamber, in *American Forest Resource Council v. USA* and *Murphy Company v. Biden*, makes the case very clear. The Antiquities Act outlines a general but limited power to the president. A presidential decree cannot repurpose vast swaths of land that is congressionally decreed for productive use and jeopardize the local communities who rely on that land for their businesses.

Mountain States Legal Foundation Senior Attorney Ivan London said, “We are honored to represent the Roseburg Area Chamber of Commerce and NFIB Legal Center, and to give voice

to all the people and small businesses affected by the President's unlawful and unnecessary decision to leave this part of America behind."

"Small business owners need the assurance that their businesses will not be destroyed overnight by presidential proclamations," said Beth Milito, Executive Director of NFIB's Small Business Legal Center. "The President should observe the separation of powers carefully provided in our Constitution and respect the legislative authority invested in Congress. We are proud to partner with Mountain States Legal Foundation and Roseburg Area Chamber of Commerce in standing up for small and independent businesses against executive overreach."

Roseburg Area Chamber president and CEO, Debbie Fromdahl stated, "the Chamber understands the health and vitality of our Douglas County businesses, citizens, local governments and community as a whole, is tied to the land and our renewable natural resources. It is also, sadly, intertwined with the lack of management of O&C Act forestland. It is time for the harm levied on our community to end. The businesses and citizens of Douglas County and southern Oregon deserve better."

The Roseburg Area Chamber has represented the interests of businesses in Roseburg and Douglas County for more than a century and advocates for active and effective management of public forestland for all purposes. They seek increased timber harvest while protecting the area's renewable timber resources for the environmental health of forests, rivers, streams and wildlife.

The businesses in the timber and wood-products industry rely on consistent sources of timber to maintain operations, employ citizens, invest in their businesses, invest in our community and keep the local economy vibrant. The lack of effective management resulting from the monument proclamation has a harmful impact on various local industries and small businesses beyond just timber and wood, which in turn adversely affects all of southern Oregon.

Checks and balances exist for a reason and that is to hold the government and president accountable to the people and the freedoms they have pledged to protect. Mountain States and NFIB are committed to defending the constitutional rights of the people affected by the government's overreaching actions, and we are proud to work with the Chamber in these cases to specifically stand up for the people of southern Oregon. We look forward to seeing the vindication of their rights in these cases.

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Mountain States Legal Foundation (MSLF) is a nonprofit, public-interest legal foundation established in 1977. MSLF is dedicated to individual liberty, limited and ethical government, and second amendment rights. MSLF defends its clients through pro bono litigation, primarily against the federal government, in defense of constitutional liberties and the rule of law. With its litigation MSLF seeks victory for its clients at the highest level possible, establishment of binding legal precedents to benefit millions of Americans, and education of the American public on the threat to their liberties that unrestrained government presents.

National Federation of Independent Business Small Business Legal Center (NFIB Legal Center) is a nonprofit, public-interest law firm established to provide legal resources and be

the voice for small businesses in the Nation's courts through representation on issues of public interest affecting small businesses. It is an affiliate of the National Federation of Independent Business, Inc. (NFIB), which is the Nation's leading small-business association. NFIB's mission is to promote and protect the right of its members to own, operate, and grow their businesses. Among NFIB's members are timber companies and other small businesses that depend on timber production for their livelihoods.

Roseburg Area Chamber of Commerce in Oregon, which also serves businesses and others in the broader Douglas County in southern Oregon, is like many chambers of commerce found across America. It has a distinguished history of service to the businesses and people of southern Oregon, helping to foster strong economic opportunities and build strong communities. For the people of Roseburg and Douglas County, that means supporting a robust timber and wood-products industry.