

105TH CONGRESS
1ST SESSION

H. R. 1829

To establish a formula for the calculation of livestock grazing fees for the use of National Forest System lands in the 16 contiguous Western States and public domain lands administered by the Bureau of Land Management.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 1997

Ms. FURSE introduced the following bill; which was referred to the Committee on Resources

A BILL

To establish a formula for the calculation of livestock grazing fees for the use of National Forest System lands in the 16 contiguous Western States and public domain lands administered by the Bureau of Land Management.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ANNUAL DOMESTIC LIVESTOCK GRAZING FEE.**

4 The Federal Land Policy and Management Act of
5 1976 is amended by inserting after section 401 (43 U.S.C.
6 1751) the following new section:

1 **“SEC. 401A. ESTABLISHMENT OF FAIR MARKET VALUE**
 2 **GRAZING FEES.**

3 “(a) ESTABLISHMENT OF ANNUAL DOMESTIC LIVE-
 4 STOCK GRAZING FEE.—(1) Notwithstanding any other
 5 provision of law, the Secretary of Agriculture, with respect
 6 to National Forest System lands in the 16 contiguous
 7 Western States (except National Grasslands) administered
 8 by the Forest Service where domestic livestock grazing is
 9 permitted under applicable law, shall establish an annual
 10 domestic livestock grazing fee equal to fair market value.

11 “(2) Notwithstanding any other provision of law, the
 12 Secretary of the Interior, with respect to public domain
 13 lands administered by the Bureau of Land Management
 14 where domestic livestock grazing is permitted under appli-
 15 cable law, shall establish an annual domestic livestock
 16 grazing fee equal to fair market value.

17 “(b) CALCULATION OF FAIR MARKET VALUE.—(1)
 18 For purposes of determining the annual domestic livestock
 19 grazing fee under this section, the Secretary concerned
 20 shall calculate fair market value using the following for-
 21 mula:

$$\text{Fair Market Value} = \frac{\text{Appraised Base Value} \times \text{Forage Value Index}}{100}$$

22 “(2) For purposes of the formula in paragraph (1):

1 “(A) The term ‘Forage Value Index’ means the
2 Forage Value Index (FVI) computed annually by the
3 Economic Research Service, United States Depart-
4 ment of Agriculture, and set with the 1997 FVI
5 equal to 100; and

6 “(B) The term ‘Appraised Base Value’ means
7 the 1983 Appraisal Value conclusions for mature
8 cattle and horses (expressed in dollars per head or
9 per month), as determined in the 1986 report pre-
10 pared jointly by the Secretary of Agriculture and the
11 Secretary of the Interior entitled ‘Grazing Fee Re-
12 view and Evaluation’, dated February 1986, on a
13 west-wide basis using the lowest appraised value of
14 the pricing areas adjusted for advanced payment
15 and indexed to 1997.

16 “(c) LIMITATION ON FLUCTUATIONS OF FEES.—
17 Notwithstanding the amount calculated under subsection
18 (b) for a year, the domestic livestock grazing fee charged
19 for any given year shall not increase nor decrease by more
20 than 33.3 percent from the domestic livestock grazing fee
21 for the previous year.

22 “(d) EFFECT ON EXECUTIVE ORDER.—Executive
23 Order No. 12548, dated February 14, 1986 (51 Fed. Reg.
24 5985), shall not apply to grazing fees established pursuant
25 to this section.

1 “(e) EFFECT ON GRAZING ADVISORY BOARDS.—The
2 grazing advisory boards established pursuant to Secretar-
3 ial action, notice of which was published in the Federal
4 Register on May 14, 1986 (51 Fed. Reg. 17874), are abol-
5 ished, effective as of the date of the enactment of this sec-
6 tion, and the advisory functions exercised by such boards
7 shall be exercised only by the appropriate councils estab-
8 lished under section 309 of this Act.

9 “(f) USE OF FEES AND RANGE IMPROVEMENT
10 FUNDS.—Funds appropriated pursuant to section 5 of the
11 Public Rangelands Improvement Act of 1978 (43 U.S.C.
12 1904) or any other provision of law related to disposition
13 of the Federal share of receipts from fees for grazing on
14 public domain lands or National Forest lands in the 16
15 contiguous western States shall be used for restoration
16 and enhancement of fish and wildlife habitat, for restora-
17 tion and improved management of riparian areas, and for
18 implementation and enforcement of applicable land man-
19 agement plans, allotment plans, and regulations regarding
20 the use of such lands for domestic livestock grazing. Such
21 funds shall be distributed as the Secretary concerned con-
22 siders advisable after consultation and coordination with
23 the advisory councils established pursuant to section 309
24 of this Act and other interested parties.

1 “(g) COMMENCEMENT DATE FOR FEES.—The first
2 annual domestic livestock grazing fee required by this sec-
3 tion shall apply with respect to the grazing season com-
4 mencing on March 1, 1998.”.

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