

105TH CONGRESS
1ST SESSION

S. 749

To provide for more effective management of the National Grasslands, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 15, 1997

Mr. DORGAN (for himself and Mr. CONRAD) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

A BILL

To provide for more effective management of the National
Grasslands, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the “National Grasslands
5 Management Act of 1997”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) the inclusion of the National Grasslands
9 within the National Forest System has prevented the
10 Secretary of Agriculture from effectively administer-

1 ing and promoting grassland agriculture on National
2 Grasslands as originally intended under the
3 Bankhead-Jones Farm Tenant Act;

4 (2) the National Grasslands can be more effec-
5 tively managed by the Secretary of Agriculture if ad-
6 ministered as a separate entity outside of the Na-
7 tional Forest System; and

8 (3) a grazing program on National Grasslands
9 can be responsibly carried out while protecting and
10 preserving sporting, recreational, environmental, and
11 other multiple uses of the National Grasslands.

12 (b) PURPOSE.—The purpose of this Act is to provide
13 for improved management and more efficient administra-
14 tion of grazing activities on National Grasslands while pre-
15 serving and protecting multiple uses of such lands, includ-
16 ing but not limited to preserving sportsmen’s hunting and
17 fishing and other recreational activities, and protecting
18 wildlife and wildlife habitat in accordance with applicable
19 laws.

20 **SEC. 3. DEFINITIONS.**

21 As used in this Act, the term—

22 (1) “National Grasslands” means those areas
23 managed as National Grasslands by the Secretary of
24 Agriculture under title III of the Bankhead-Jones

1 Farm Tenant Act (7 U.S.C. 1010–1012) on the day
 2 before the date of enactment of this Act; and

3 (2) “Secretary” means the Secretary of Agri-
 4 culture.

5 **SEC. 4. REMOVAL OF NATIONAL GRASSLANDS FROM NA-**
 6 **TIONAL FOREST SYSTEM.**

7 Section 11(a) of the Forest Rangeland Renewable
 8 Resource Planning Act of 1974 (16 U.S.C. 1609(a)) is
 9 amended by striking the phrase “the national grasslands
 10 and land utilization projects administered under title III
 11 of the Bankhead-Jones Farm Tenant Act (50 Stat. 525,
 12 7 U.S.C. 1010–1012)”.

13 **SEC. 5. MANAGEMENT OF NATIONAL GRASSLANDS.**

14 (a) IN GENERAL.—The Secretary, acting through the
 15 Chief of the Forest Service, shall manage the National
 16 Grasslands as a separate entity in accordance with this
 17 Act and the provisions and multiple use purposes of title
 18 III of the Bankhead-Jones Farm Tenant Act (7 U.S.C.
 19 1010–1012).

20 (b) CONSULTATION.—The Secretary shall provide
 21 timely opportunities for consultation and cooperation with
 22 interested State and local government entities, and other
 23 interested individuals and organizations in the develop-
 24 ment and implementation of land use policies and plans,

1 and land conservation programs for the National Grass-
2 lands.

3 (c) GRAZING ACTIVITIES.—In furtherance of the pur-
4 poses of this Act, the Secretary shall administer grazing
5 permits and implement grazing management decisions in
6 consultation, cooperation, and coordination with local
7 grazing associations and other grazing permit holders.

8 (d) REGULATIONS.—The Secretary shall promulgate
9 regulations to manage and protect the National Grass-
10 lands, taking into account the unique characteristics of the
11 National Grasslands and grasslands agriculture conducted
12 under the Bankhead-Jones Farm Tenant Act (7 U.S.C.
13 1010). Such regulations shall facilitate the efficient ad-
14 ministration of grazing and provide protection for the en-
15 vironment, wildlife, wildlife habitat, and Federal lands
16 equivalent to that in the National Forest System on the
17 day prior to the date of enactment of the Act.

18 (e) CONFORMING AMENDMENT TO BANKHEAD-
19 JONES ACT.—Section 31 of the Bankhead-Jones Farm
20 Tenant Act (7 U.S.C. 1010) is amended to read as follows:
21 “To accomplish the purposes of title III of this Act, the
22 Secretary is authorized and directed to develop a separate
23 program of land conservation and utilization of the Na-
24 tional Grasslands, in order thereby to promote grassland
25 agriculture and secure occupancy and economic stability

1 of farms and ranches, control soil erosion, promote refor-
2 estation, preserve and protect natural resources, protect
3 fish and wildlife and their habitat, develop and protect rec-
4 reational opportunities and facilities, mitigate floods, pre-
5 vent impairment of dams and reservoirs, develop energy
6 resources, conserve surface and substance moisture, pro-
7 tect the watersheds of navigable streams, and protect the
8 public lands, health, safety and welfare, but not to build
9 industrial parks or commercial enterprises.”.

10 (f) HUNTING AND FISHING, AND OTHER REC-
11 REATIONAL ACTIVITIES.—Nothing in this Act shall be
12 construed as limiting or precluding hunting or fishing ac-
13 tivities on National Grasslands in accordance with applica-
14 ble Federal and State laws, nor shall appropriate rec-
15 reational activities be limited or precluded.

16 (g) VALID EXISTING RIGHTS.—Nothing in this Act
17 shall affect valid existing rights, reservations, agreements,
18 or authorizations. Section 1323(a) of Public Law 96–487
19 shall continue to apply to non-Federal land and interests
20 therein within the boundaries of the National Grasslands.

21 (h) FEES AND CHARGES.—Fees and charges for live-
22 stock grazing on the National Grasslands shall be deter-
23 mined in the same manner and according to the same for-
24 mula as was used for livestock grazing on the National
25 Grasslands during the 1996 grazing year. The Secretary

- 1 may adjust the grazing fee to compensate for approved
- 2 conservation practices and administrative expenditures.

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