

109TH CONGRESS
1ST SESSION

H. R. 411

To recognize the importance of livestock ranching to the history and continued economic vitality of the western United States and to compensate ranchers when certain Government actions result in the loss or reduction in animal unit months authorized under a grazing permit or lease issued by a Federal land management agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 2005

Mr. RENZI introduced the following bill; which was referred to the Committee on Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To recognize the importance of livestock ranching to the history and continued economic vitality of the western United States and to compensate ranchers when certain Government actions result in the loss or reduction in animal unit months authorized under a grazing permit or lease issued by a Federal land management agency, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Cattleman’s Bill of
3 Rights Act”.

4 **SEC. 2. FINDINGS, NATIONAL POLICY, AND DEFINITIONS.**

5 (a) FINDINGS.—Congress finds the following:

6 (1) Ranching is an important part of the cul-
7 ture and economy of many rural communities
8 throughout the American West, and the rural West
9 depends on a healthy and thriving ranching indus-
10 try.

11 (2) Ranchers have a vested interest in their
12 ranchland, and much of this land has been worked
13 by the same ranch families for generations.

14 (3) Congress has a responsibility both to pro-
15 tect the environment and to ensure the continued
16 ability of Americans to produce the food and fiber
17 needed for United States and world markets, and
18 dispersed agriculture, such as ranching, can help se-
19 cure this food and fiber supply.

20 (4) Rangeland grazing is a humane and natural
21 food production technology.

22 (5) Public land grazing permits and leases have
23 a recognized value, and the voluntary relinquishment
24 of grazing allotments on public land eliminates the
25 infrastructure needed to support a viable grazing in-
26 dustry in the West.

1 (6) American ranchers provide betterments and
2 improvements to the land they work, providing a
3 symbiotic relationship between the land and the cat-
4 tle.

5 (7) Public land grazing permits and leases have
6 a value recognized by many segments of society.

7 (8) The United States has a vital interest in
8 protecting and promoting the American ranching in-
9 dustry.

10 (b) NATIONAL POLICY.—On the basis of the findings
11 expressed in subsection (a), Congress supports a national
12 policy of public grazing and appropriate compensation
13 when ranchers are forced by law to relinquish their graz-
14 ing permits.

15 (c) FEDERAL LAND MANAGEMENT AGENCY DE-
16 FINED.—In this Act, the term “Federal land management
17 agency” means the National Park Service, the Forest
18 Service, the Fish and Wildlife Service, and the Bureau of
19 Land Management.

20 **SEC. 3. COMPENSATION AS PART OF CERTAIN FEDERAL**
21 **LAND MANAGEMENT AGENCY ACTIONS.**

22 Whenever a land exchange, special-use land designa-
23 tion, or a biological opinion issued pursuant to the Endan-
24 gered Species Act of 1973 (16 U.S.C. 1531 et seq.) involv-
25 ing Federal land under the jurisdiction of a Federal land

1 management agency results in the elimination or reduction
2 in permitted grazing animal unit months, the Federal land
3 management agency shall—

4 (1) to the extent practicable, make available al-
5 ternative, suitable, functionally equivalent forage to
6 the holder of the grazing permit or lease eliminated
7 or subject to the reduction; or

8 (2) compensate the holder of the grazing permit
9 or lease for the value of the permit or lease lost,
10 when alternative forage is not available under para-
11 graph (1).

12 **SEC. 4. AUTHORIZATION OF SUBLEASING OF GRAZING PER-**
13 **MITTS AND LEASES.**

14 A Federal land management agency shall allow the
15 holder of a grazing permit or lease issued by the Federal
16 land management agency to sublease all or any portion
17 of the Federal land allotment covered by the permit or
18 lease, without any fee or charge imposed by the Federal
19 land management agency, when the sublease will—

20 (1) promote more sustainable use of forage
21 within an area;

22 (2) support ranchers who may be facing eco-
23 nomic distress; or

24 (3) promote other objectives identified by the
25 Federal land management agency.

1 **SEC. 5. SOURCE OF COMPENSATION AND DETERMINATION**
2 **OF COMPENSATION AMOUNT.**

3 (a) SOURCE.—The Federal land management agency
4 that reduces or eliminates permitted grazing use for the
5 purposes identified in this Act shall pay the compensation
6 provided for under this Act out of the agency's current
7 appropriations.

8 (b) COMPENSATION FACTORS.—Compensation under
9 this Act shall include loss of value in base property, loss
10 of value in vested water rights, loss of value of improve-
11 ments, and loss of business opportunity value.

12 **SEC. 6. EMPLOYEE SENSITIVITY TRAINING.**

13 The Secretary of Agriculture, in consultation with the
14 Secretary of the Interior, shall develop, implement, and
15 periodically update a training course for employees of the
16 Federal land management agencies regarding the histor-
17 ical uses of the Federal land managed by such employees.
18 The Secretary shall require range managers to attend the
19 training course, which at a minimum shall incorporate the
20 following:

- 21 (1) Quality of life impacts on livestock ranch-
22 ers.
- 23 (2) Economic and production impacts.
- 24 (3) Biodiversity benefits of such historical uses.

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