To authorize voluntary grazing permit retirement on Federal lands managed by the Department of Agriculture or the Department of the Interior where livestock grazing is impractical, and for other purposes.

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A BILL

To authorize voluntary grazing permit retirement on Federal lands managed by the Department of Agriculture or the Department of the Interior where livestock grazing is impractical, and for other purposes.

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Rural Economic Vitalization Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

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SEC. 2. FINDINGS.

Congress finds the following:

(1) The use of Federal lands by grazing permittees and lessees for commercial livestock grazing is increasingly difficult due to growing conflicts with other legitimate multiple uses of the lands, such as environmental protection and burgeoning recreational use, and with congressionally mandated goals of wildlife and habitat protection and improved water quality and quantity.

(2) A combination of sustained drought, foreign competition, changing domestic markets, industry restructuring, and individual ranch finances has resulted in Federal grazing permits and leases becoming stranded investments for many permittees and lessees.

(3) Attempts to resolve grazing conflicts with other multiple uses often require extensive range developments, intensive herd management, and continuous monitoring that greatly increases costs to both permittees and lessees and taxpayers, far out of proportion to the benefit received.
(4) Certain grazing allotments on Federal lands have, or are likely to become, unsuitable for commercial livestock production as a result of the combined effect of the factors referred to in paragraphs (1) through (3) and other factors.

(5) The cost of the Federal grazing program greatly exceeds revenues to the Federal treasury from grazing receipts.

(6) Many permittees and lessees have indicated their willingness to end their commercial livestock grazing on Federal lands in exchange for compensation to reasonably compensate them for the effort and investment that they have made in a grazing allotment.

(7) Compensating permittees and lessees who relinquish their grazing permit or lease would help recapitalize an ailing sector of rural America by providing economic options to permittees and lessees that do not presently exist by allowing them to restructure their ranch operations, start new businesses, or retire with security.

(8) Paying reasonable compensation for the relinquishment of a grazing permit or lease will help alleviate the need for permittees and lessees to sell or subdivide their private lands.
SEC. 3. DEFINITIONS.

In this Act:

(1) ANIMAL UNIT MONTH.—The term “animal unit month” means the amount of forage needed to sustain one animal unit for one month, as determined by the Secretary issuing the grazing permit or lease.

(2) COMMERCIAL LIVESTOCK GRAZING.—The term “commercial livestock grazing” means the grazing of domestic livestock on Federal lands as authorized by a grazing permit or lease. The term does not include beasts of burden used for recreational purposes.

(3) GRAZING ALLOTMENT.—The term “grazing allotment” means the designated portion of Federal land upon which domestic livestock are permitted to graze by a grazing permit or lease.

(4) GRAZING PERMIT; LEASE.—The terms “grazing permit or lease” and “grazing permit and lease” mean any document authorizing the use of Federal lands for the purpose of commercial livestock grazing.

(5) PERMITTEE; LESSEE.—The terms “permittee or lessee” and “permittee and lessee” mean a livestock operator that holds a valid existing grazing permit or lease.
(6) RANGE DEVELOPMENTS.—The term “range developments” means structures, fences, and other permanent fixtures placed on Federal lands for the furtherance of the purpose of grazing domestic livestock. The term does not include rolling stock, livestock and diversions of water from Federal lands onto non-Federal lands.

(7) SECRETARIES.—The term “Secretaries” refers to the Secretary of Agriculture and the Secretary of Interior.

(8) SECRETARY.—The term “Secretary” means the Secretary of Agriculture or the Secretary of the Interior, as appropriate to the administration of a grazing permit or lease.

SEC. 4. RURAL VITALIZATION PROGRAM.

(a) WAIVER OF GRAZING PERMIT OR LEASE.—

(1) ACCEPTANCE BY SECRETARY.—Subject to the limitation set forth in subsection (c), the Secretary shall accept any grazing permit or lease that is waived by a grazing permittee or lessee.

(2) TERMINATION.—The Secretary shall terminate any grazing permit or lease acquired under paragraph (1).
(3) NO NEW GRAZING PERMIT OR LEASE.—

With respect to each grazing lease or grazing permit waived under paragraph (1), the Secretary shall—

(A) not issue any new grazing permit or lease within the grazing allotment covered by the grazing permit or lease; and

(B) ensure a permanent end to livestock grazing on the grazing allotment covered by the grazing permit or lease.

(b) WAIVER OF GRAZING PERMIT OR LEASE ON COMMON ALLOTMENTS.—

(1) IN GENERAL.—If a grazing allotment covered by a grazing permit or lease that is waived under subsection (a) is also covered by another grazing permit or lease that is not waived, the Secretary shall reduce the level of commercial livestock grazing on the grazing allotment to reflect the waiver.

(2) AUTHORIZED LEVEL.—To ensure that there is a permanent reduction in the level of livestock grazing on the land covered by the grazing permit or lease waived under subsection (a), the Secretary shall not allow grazing to exceed the level established under paragraph (1).

(c) LIMITATION.—The Secretaries shall accept not more than 100 grazing permits and leases, in the aggregate,
gate, per year under this section on a first come, first
served basis.

SEC. 5. EFFECT OF WAIVER OF GRAZING PERMIT OR
LEASE.

(a) EFFECT ON RANGE DEVELOPMENTS.—A per-
mittee or lessee who waives a grazing permit or lease to
the Secretary under section 4 shall be deemed to have
waived any claim to all range developments on the associ-
ated grazing allotment, notwithstanding any other provi-
sion of law.

(b) SECURING RETIRED ALLOTMENTS AGAINST UN-
AUTHORIZED USE.—The Secretary shall ensure that graz-
ing allotments retired from grazing under this Act are ren-
dered reasonably secure from trespass grazing by domestic
livestock.

(c) RELATION TO OTHER AUTHORITY.—Nothing in
this Act shall be construed to affect the Secretary’s au-
thority to modify or terminate grazing permits or leases
in accordance with other law.

(d) RELATION TO VALID EXISTING RIGHTS.—Noth-
ing in this Act affects the allocation, ownership, interest,
or control, in existence on the date of the enactment of
this Act, of any water, water right, or any other valid ex-
isting right held by the United States, Indian tribe, State,
county, municipality or private individual, partnership or corporation.