

118TH CONGRESS  
1ST SESSION

# H. R. 6314

To expand the authorization of voluntary Federal grazing permit retirement, provide increased flexibility for Federal grazing permittees, promote the equitable resolution or avoidance of conflicts on Federal lands managed by the Department of Agriculture or the Department of the Interior, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 8, 2023

Mr. SMITH of Washington (for himself and Mr. HUFFMAN) introduced the following bill; which was referred to the Committee on Natural Resources

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## A BILL

To expand the authorization of voluntary Federal grazing permit retirement, provide increased flexibility for Federal grazing permittees, promote the equitable resolution or avoidance of conflicts on Federal lands managed by the Department of Agriculture or the Department of the Interior, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Voluntary Grazing Permit Retirement Act”.

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

- 3 Sec. 1. Short title; table of contents.
- 4 Sec. 2. Findings.
- 5 Sec. 3. Definitions.
- 6 Sec. 4. Voluntary grazing permit retirement program.
- 7 Sec. 5. Effect of waiver of grazing permit.

8 **SEC. 2. FINDINGS.**

9 Congress finds the following:

10 (1) Voluntary grazing permit retirement is a  
11 successful land management tool that has been au-  
12 thorized by Congress for specific purposes and in  
13 numerous areas throughout the 16 Western States,  
14 including Death Valley National Park, Capitol Reef  
15 National Park, Arches National Park, Cascade-  
16 Siskiyou National Monument, Oregon Caves Na-  
17 tional Monument and Preserve, and Wilderness  
18 Areas in the Owyhee Canyonlands and Boulder-  
19 White Clouds.

20 (2) Expanding the authority for voluntary graz-  
21 ing permit retirement to include all Federal lands  
22 managed by the Department of Agriculture and the  
23 Department of the Interior in the 16 Western States  
will aid in the resolution of land and resource man-  
agement conflicts and provide Federal grazing per-  
mittees and lessees with increased flexibility and op-  
portunities when making decisions about the future  
of their livestock operations.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) **ADMINISTRATIVELY RETIRED GRAZING AL-**  
4 **LOTMENT.**—The term “administratively retired graz-  
5 **ing allotment”** means a grazing allotment, or portion  
6 of a grazing allotment, on Federal lands managed by  
7 the Secretary that is or becomes vacant or closed  
8 due to the voluntary waiver of the grazing permit or  
9 lease by the holder of the grazing permit or lease  
10 issued by the Secretary with the intention of perma-  
11 nently ending livestock grazing on that grazing allot-  
12 ment, or portion of a grazing allotment, as a result  
13 of an agreement with a third party.

14 (2) **COMMERCIAL LIVESTOCK GRAZING; LIVE-**  
15 **STOCK GRAZING.**—The terms “commercial livestock  
16 grazing” and “livestock grazing”—

17 (A) mean the grazing of domestic livestock  
18 on Federal lands as authorized by a grazing  
19 permit or lease; and

20 (B) do not include the grazing of beasts of  
21 burden on Federal lands while used for rec-  
22 reational or administrative purposes.

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

1           (4) GRAZING PERMIT; LEASE.—The terms  
2           “grazing permit or lease” and “grazing permit and  
3           lease” mean any document authorizing the use of  
4           Federal lands for the purpose of commercial live-  
5           stock grazing.

6           (5) PERMITTEE; LESSEE.—The terms “per-  
7           mittee or lessee” and “permittee and lessee” mean  
8           a livestock operator that holds a valid existing graz-  
9           ing permit or lease.

10          (6) RANGE DEVELOPMENTS.—The term “range  
11          developments”—

12                 (A) means structures, fences, and other  
13                 permanent fixtures placed on Federal lands for  
14                 the furtherance of the purpose of livestock graz-  
15                 ing; and

16                 (B) does not include rolling stock, live-  
17                 stock, and diversions of water from Federal  
18                 lands onto non-Federal lands.

19          (7) SECRETARIES.—The term “Secretaries” re-  
20          fers to the Secretary of Agriculture and the Sec-  
21          retary of the Interior.

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



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

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

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

9 (1) IN GENERAL.—If a grazing allotment or  
10 portion of a grazing allotment covered by a grazing  
11 permit or lease that is waived under subsection (a)  
12 is also covered in part or in whole by another graz-  
13 ing permit or lease that is not waived, the Secretary  
14 shall reduce the level of commercial livestock grazing  
15 on the grazing allotment to reflect the waiver.

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

22 (c) LIMITATION.—

23 (1) IN GENERAL.—The Secretaries shall accept  
24 per fiscal year under this section—

1 (A) not more than 100 grazing permits, in  
2 the aggregate. for all of the 16 Western States;  
3 and

4 (B) not more than 25 grazing permits for  
5 land located in whole or in part in any indi-  
6 vidual State.

7 (2) APPLICABILITY.—This limitation shall not  
8 apply to administratively retired grazing allotments  
9 as of the effective date of this Act.

10 (d) ADMINISTRATIVELY RETIRED GRAZING ALLOT-  
11 MENTS.—With respect to grazing allotments administra-  
12 tively retired before the date of the enactment of this Act,  
13 the Secretary shall—

14 (1) not issue any new grazing permit or lease  
15 within the grazing allotment covered by the grazing  
16 permit or lease; and

17 (2) ensure a permanent end to livestock grazing  
18 on the grazing allotment covered by the grazing per-  
19 mit or lease.

20 **SEC. 5. EFFECT OF WAIVER OF GRAZING PERMIT.**

21 (a) EFFECT ON RANGE DEVELOPMENTS.—A per-  
22 mittee or lessee who waives a grazing permit or lease to  
23 the Secretary under section 4 shall be deemed to have  
24 waived any claim to all range developments on land cov-

1 ered by the grazing permit or lease waived, notwith-  
2 standing any other provision of law.

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

8 (c) RELATION TO OTHER AUTHORITY.—Nothing in  
9 this Act shall be construed to affect the authority of the  
10 Secretary to modify or terminate any grazing permit or  
11 lease in accordance with other law.

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

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