

118TH CONGRESS
1ST SESSION

S. 3322

To allow holders of certain grazing permits to make minor range improvements and to require that the Secretary of Agriculture and the Secretary of the Interior respond to requests for range improvements within 30 days, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2023

Mr. BARRASSO (for himself, Ms. LUMMIS, Mr. RISCH, Mr. DAINES, and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To allow holders of certain grazing permits to make minor range improvements and to require that the Secretary of Agriculture and the Secretary of the Interior respond to requests for range improvements within 30 days, 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 “Ranching Without Red
5 Tape Act of 2023”.

1 **SEC. 2. MINOR RANGE IMPROVEMENTS UNDER USFS GRAZ-**
2 **ING PERMITS.**

3 (a) DEFINITIONS.—In this section:

4 (1) CFR TERMS.—The terms “grazing permit”,
5 “permittee”, and “range improvement” have the
6 meanings given those terms, respectively, in section
7 222.1(b) of title 36, Code of Federal Regulations (or
8 successor regulations).

9 (2) COVERED REQUEST.—The term “covered
10 request” means a request submitted by a permittee
11 to the Secretary requesting that the Secretary carry
12 out a range improvement.

13 (3) MINOR RANGE IMPROVEMENT.—The term
14 “minor range improvement” includes improvements
15 to existing fences and fence lines, wells, water pipe-
16 lines, and stock tanks.

17 (4) SECRETARY.—The term “Secretary” means
18 the Secretary of Agriculture.

19 (b) MINOR RANGE IMPROVEMENTS BY PERMIT-
20 TEES.—Not later than 1 year after the date of enactment
21 of this Act, the Secretary shall issue regulations allowing
22 a permittee to carry out a minor range improvement on
23 the land with respect to which the permittee holds a graz-
24 ing permit if—

1 (1) the permittee notifies the applicable Forest
2 Service district ranger at least 30 days prior to car-
3 rying out such minor range improvement; and

4 (2) such applicable district ranger—

5 (A) approves the minor range improve-
6 ment; or

7 (B) does not respond to the notification.

8 (c) RANGE IMPROVEMENTS BY THE SECRETARY.—

9 The Secretary, acting through the applicable forest super-
10 visor, shall—

11 (1) respond to a covered request not later than
12 30 days after the date on which such covered re-
13 quest is submitted; and

14 (2) if such response confirms that the Sec-
15 retary, acting through the applicable forest super-
16 visor, will carry out the range improvement re-
17 quested—

18 (A) notify the district office that serves the
19 area in which such range improvement will
20 occur; and

21 (B) expedite the carrying out of such
22 range improvement using any available adminis-
23 trative tools or authorities, including categorical
24 exclusions.

1 **SEC. 3. MINOR RANGE IMPROVEMENTS UNDER BLM GRAZ-**
2 **ING PERMITS.**

3 (a) DEFINITIONS.—In this section:

4 (1) COVERED REQUEST.—The term “covered
5 request” means a request submitted by a grazing
6 permit or lease holder to the Secretary requesting
7 that the Secretary carry out a range improvement.

8 (2) GRAZING PERMIT OR LEASE.—The term
9 “grazing permit or lease” means a grazing permit or
10 lease described in section 4130.2 of title 43, Code of
11 Federal Regulations (or successor regulations).

12 (3) MINOR RANGE IMPROVEMENT.—The term
13 “minor range improvement” includes improvements
14 to existing fences and fence lines, wells, water pipe-
15 lines, and stock tanks.

16 (4) RANGE IMPROVEMENT.—The term “range
17 improvement” means a range improvement carried
18 out pursuant to subpart 4120 of title 43, Code of
19 Federal Regulations (or successor regulations).

20 (5) SECRETARY.—The term “Secretary” means
21 the Secretary of the Interior.

22 (b) MINOR RANGE IMPROVEMENTS BY GRAZING
23 PERMIT HOLDERS.—Not later than 1 year after the date
24 of enactment of this Act, the Secretary shall issue regula-
25 tions allowing a grazing permit or lease holder to carry

1 out a minor range improvement on the land with respect
2 to which the grazing permit or lease applies if—

3 (1) the grazing permit or lease holder notifies
4 the applicable Bureau of Land Management district
5 or field manager at least 30 days prior to carrying
6 out such minor range improvement; and

7 (2) such applicable district or field manager—

8 (A) approves the minor range improve-
9 ment; or

10 (B) does not respond to the notification.

11 (c) RANGE IMPROVEMENTS BY THE SECRETARY.—

12 The Secretary, acting through the applicable State Direc-
13 tor of the Bureau of Land Management, shall—

14 (1) respond to a covered request not later than
15 30 days after the date on which such covered re-
16 quest is submitted; and

17 (2) if such response confirms that the Sec-
18 retary, acting through the applicable State Director
19 of the Bureau of Land Management, will carry out
20 the range improvement requested—

21 (A) notify the State office that serves the
22 area in which such range improvement will
23 occur; and

24 (B) expedite the carrying out of such
25 range improvement using any available adminis-

- 1 trative tools or authorities, including categorical
- 2 exclusions.

