

105TH CONGRESS
1ST SESSION

H. R. 2493

To establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 1997

Mr. SMITH of Oregon (for himself, Mr. STENHOLM, Mr. SESSIONS, Mr. STUMP, Mr. BARRETT of Nebraska, Mrs. EMERSON, Mr. TIAHRT, Mr. HASTINGS of Washington, Mr. CUNNINGHAM, Mr. GIBBONS, Mr. POMBO, Mr. HERGER, Mr. BONO, Mr. WATKINS, Mr. HALL of Texas, Mr. PETERSON of Minnesota, Mr. LEWIS of Kentucky, Mr. RADANOVICH, Mr. BISHOP, Mr. HILL, Mr. TAYLOR of North Carolina, Mr. CALVERT, Mr. RIGGS, Mr. FAZIO of California, Mr. CONDIT, Mr. DOOLEY of California, Mr. HAYWORTH, and Mr. MORAN of Kansas) 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 establish a mechanism by which the Secretary of Agriculture and the Secretary of the Interior can provide for uniform management of livestock grazing on Federal lands.

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; TABLE OF CONTENTS.**

2 (a) **SHORT TITLE.**—This Act may be cited as the
3 “Forage Improvement Act of 1997”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Rules of construction.

Sec. 3. Coordinated administration.

TITLE I—MANAGEMENT OF GRAZING ON FEDERAL LANDS

Sec. 101. Application of title.

Sec. 102. Definitions.

Sec. 103. Renewal of a grazing permit or lease.

Sec. 104. Monitoring and inspection.

Sec. 105. Subleasing.

Sec. 106. Fees and charges.

Sec. 107. Resource advisory councils.

TITLE II—MISCELLANEOUS

Sec. 201. Effective date.

Sec. 202. Issuance of new regulations.

6 **SEC. 2. RULES OF CONSTRUCTION.**

7 (a) **LIMITATION ON APPLICATION.**—Nothing in this
8 Act shall be construed to affect grazing in any unit of the
9 National Park System or National Wildlife Refuge Sys-
10 tem, on any lands that are not Federal lands (as defined
11 in section 102), or on any lands that are held by the Unit-
12 ed States in trust for the benefit of Indians.

13 (b) **MULTIPLE USE ACTIVITIES NOT AFFECTED.**—
14 Nothing in this Act shall be construed to limit or preclude
15 the use of, and access to, Federal lands (as defined in sec-
16 tion 102) for hunting, fishing, recreational, watershed
17 management, or other appropriate multiple use activities

1 in accordance with applicable Federal and State laws and
2 the principles of multiple use.

3 (c) VALID EXISTING RIGHTS.—Nothing in this Act
4 shall be construed to affect valid existing rights, reserva-
5 tions, agreements, or authorizations under Federal or
6 State law.

7 (d) ACCESS TO NONFEDERALLY OWNED LAND.—
8 Section 1323(a) of Public Law 96–487 (16 U.S.C.
9 3210(a)) shall continue to apply with regard to access to
10 nonfederally owned lands.

11 **SEC. 3. COORDINATED ADMINISTRATION.**

12 To the maximum extent practicable, the Secretary of
13 Agriculture and the Secretary of the Interior shall provide
14 for consistent and coordinated administration of livestock
15 grazing and management of Federal lands (as defined in
16 section 102), consistent with the laws governing such
17 lands.

18 **TITLE I—MANAGEMENT OF**
19 **GRAZING ON FEDERAL LANDS**

20 **SEC. 101. APPLICATION OF TITLE.**

21 (a) FOREST SERVICE LANDS.—This title applies to
22 the management of grazing on National Forest System
23 lands, including the National Grasslands, by the Secretary
24 of Agriculture under the following laws:

1 (1) The 11th undesignated paragraph under the
2 heading “SURVEYING THE PUBLIC LANDS” under the
3 heading “UNDER THE DEPARTMENT OF THE
4 INTERIOR” in the Act of June 4, 1897 (commonly
5 known as the Organic Administration Act of 1897)
6 (30 Stat. 35, second full paragraph on that page; 16
7 U.S.C. 551).

8 (2) Sections 11, 12, and 19 of the Act of April
9 24, 1950 (commonly known as the Granger-Thye
10 Act of 1950) (64 Stat. 85, 88, chapter 97; 16
11 U.S.C. 580g, 580h, 580l).

12 (3) The Multiple-Use Sustained-Yield Act of
13 1960 (16 U.S.C. 528 et seq.).

14 (4) The Forest and Rangeland Renewable Re-
15 sources Planning Act of 1974 (16 U.S.C. 1600 et
16 seq.).

17 (5) The National Forest Management Act of
18 1976 (16 U.S.C. 472a et seq.).

19 (6) The Federal Land Policy and Management
20 Act of 1976 (43 U.S.C. 1701 et seq.).

21 (7) The Public Rangelands Improvement Act of
22 1978 (43 U.S.C. 1901 et seq.).

23 (8) The Bankhead-Jones Farm Tenant Act (7
24 U.S.C. 1010 et seq.).

1 (b) BUREAU OF LAND MANAGEMENT LANDS.—This
2 title applies to the management of grazing on Federal
3 lands administered by the Secretary of the Interior, acting
4 through the Director of the Bureau of Land Management,
5 under the following laws:

6 (1) The Act of June 28, 1934 (commonly
7 known as the Taylor Grazing Act) (48 Stat. 1269,
8 chapter 865; 43 U.S.C. 315 et seq.).

9 (2) The Act of August 28, 1937 (commonly
10 known as the Oregon and California Railroad and
11 Coos Bay Wagon Road Grant Lands Act of 1937)
12 (50 Stat. 874, chapter 876; 43 U.S.C. 1181a et
13 seq.).

14 (3) The Federal Land Policy and Management
15 Act of 1976 (43 U.S.C. 1701 et seq.).

16 (4) The Public Rangelands Improvement Act of
17 1978 (43 U.S.C. 1901 et seq.).

18 (c) CERTAIN OTHER UNITED STATES LANDS.—This
19 title also applies to the management of grazing by the Sec-
20 retary concerned on behalf of the head of another depart-
21 ment or agency of the Federal Government under a memo-
22 randum of understanding.

23 **SEC. 102. DEFINITIONS.**

24 In this title:

1 (1) ALLOTMENT.—The term “allotment” means
2 an area of Federal land subject to an adjudicated or
3 apportioned grazing preference that is appurtenant
4 to a commensurate base property.

5 (2) AUTHORIZED OFFICER.—The term “author-
6 ized officer” means a person authorized by the Sec-
7 retary concerned to administer this title, the laws
8 cited in section 101, and regulations issued under
9 this title and such laws.

10 (3) BASE PROPERTY.—The term “base prop-
11 erty” means private land, water, or water rights
12 owned or leased by a permittee or lessee to which a
13 Federal allotment is appurtenant.

14 (4) COMMENSURATE.—The term “commensu-
15 rate” means private property of sufficient productiv-
16 ity to support the feed or water needs (or both) of
17 livestock during the period of time that such live-
18 stock are not physically on the Federal allotment.

19 (5) CONSULTATION, COOPERATION, AND CO-
20 ORDINATION.—For the purposes of this title (and
21 section 402(d) of the Federal Land Policy and Man-
22 agement Act of 1976 (43 U.S.C. 1752(d))), the term
23 “consultation, cooperation, and coordination” means
24 to engage in good faith efforts to fully communicate

1 and provide for a mutually supported action to
2 achieve a mutually agreed purpose.

3 (6) COOPERATIVE MANAGEMENT AGREEMENT.—The term “cooperative management agree-
4 ment” means a written agreement between the Sec-
5 retary concerned (or a designee of the Secretary con-
6 cerned) and a permittee or lessee that—

8 (A) is consistent with and incorporates by
9 reference relevant provisions of existing land
10 use plans; and

11 (B) provides the permittee or lessee with
12 the opportunity to exercise management flexibil-
13 ity beyond the limits of an allotment manage-
14 ment plan or a grazing permit or lease that is
15 not issued pursuant to a cooperative manage-
16 ment agreement.

17 (7) COORDINATED RESOURCE MANAGEMENT.—
18 The term “coordinated resource management”
19 means the planning and implementation of voluntary
20 management activities in a specified area that in-
21 volves the consultation, cooperation, and coordina-
22 tion of the Forest Service or the Bureau of Land
23 Management (or both) with affected State or Fed-
24 eral agencies, private land owners, and users of Fed-
25 eral lands.

1 (8) FEDERAL LANDS.—The term “Federal
2 land” means land outside the State of Alaska that
3 is owned by the United States and is—

4 (A) included in the National Forest Sys-
5 tem; or

6 (B) administered by the Secretary of the
7 Interior, acting through the Director of the Bu-
8 reau of Land Management.

9 (9) GRAZING PERMIT OR LEASE.—The term
10 “grazing permit or lease” means a document author-
11 izing use of Federal land for the purpose of grazing
12 livestock—

13 (A) within a grazing district under section
14 3 of the Act of June 28, 1934 (commonly
15 known as the Taylor Grazing Act) (48 Stat.
16 1270, chapter 865; 43 U.S.C. 315b);

17 (B) outside grazing districts under section
18 15 of the Act of June 28, 1934 (commonly
19 known as the Taylor Grazing Act) (48 Stat.
20 1275, chapter 865; 43 U.S.C. 315m);

21 (C) on National Forest System lands
22 under section 19 of the Act of April 24, 1950
23 (commonly known as the Granger-Thye Act of
24 1950) (64 Stat. 88, chapter 97; 16 U.S.C.
25 5801); or

1 (D) on a National Grassland under the
2 Bankhead-Jones Farm Tenant Act (7 U.S.C.
3 1010 et seq.).

4 (10) INSPECTION.—The term “inspection”
5 means to enter upon a Federal allotment for the
6 purpose of conducting monitoring activities or to as-
7 sess whether or not the permittee or lessee is con-
8 ducting livestock grazing operations in compliance
9 with the terms and conditions of a grazing permit or
10 lease.

11 (11) LAND USE PLAN.—The term “land use
12 plan” means—

13 (A) a land and resource management plan
14 prepared by the Forest Service pursuant to sec-
15 tion 6 of the Forest and Rangeland Renewable
16 Resources Planning Act of 1974 (16 U.S.C.
17 1604) for a unit of the National Forest System
18 or a National Grassland; or

19 (B) a resource management plan (or a
20 management framework plan that is in effect
21 pending completion of a resource management
22 plan) developed in accordance with the Federal
23 Land Policy and Management Act of 1976 (43
24 U.S.C. 1701 et seq.) for Federal land adminis-
25 tered by the Bureau of Land Management.

1 (12) MONITORING.—The term “monitoring”
2 means the orderly collection of information using
3 scientifically-based techniques to determine trend
4 and condition of forage and related resources on
5 Federal land. Such information may include histori-
6 cal information, but must be objective and reliable.
7 Such information shall be used to evaluate—

8 (A) the effects of ecological changes and
9 management actions and forage and related re-
10 sources; and

11 (B) the effectiveness of actions in meeting
12 management objectives.

13 (13) NATIONAL FOREST SYSTEM.—The term
14 “National Forest System” has the meaning given
15 such term in section 11(a) of the Forest and Range-
16 land Renewable Resources Planning Act of 1974 (16
17 U.S.C. 1609(a)).

18 (14) NATIONAL GRASSLAND.—The term “Na-
19 tional Grassland” means a unit of the National For-
20 est System that was managed as a National Grass-
21 land by the Secretary of Agriculture under the
22 Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010
23 et seq.) on May 25, 1995.

24 (15) RESOURCE ADVISORY COUNCIL.—The term
25 “Resource Advisory Council” means a Resource Ad-

1 visory Council established jointly by the Secretary of
2 Agriculture and the Secretary of the Interior under
3 section 107.

4 (16) SECRETARY CONCERNED.—The term
5 “Secretary concerned” means—

6 (A) the Secretary of Agriculture, with re-
7 spect to the National Forest System and the
8 National Grasslands; and

9 (B) the Secretary of the Interior, with re-
10 spect to other Federal lands.

11 (17) SIXTEEN CONTIGUOUS WESTERN
12 STATES.—The term “sixteen contiguous Western
13 States” means the States of Arizona, California,
14 Colorado, Idaho, Kansas, Montana, Nebraska, Ne-
15 vada, New Mexico, North Dakota, Oklahoma, Or-
16 egon, South Dakota, Utah, Washington, and Wyo-
17 ming.

18 (18) SUBLEASE.—The term “sublease” means
19 an agreement by a permittee or lessee that allows
20 grazing on Federal land by livestock not owned or
21 controlled by the permittee or lessee.

22 **SEC. 103. RENEWAL OF A GRAZING PERMIT OR LEASE.**

23 (a) RENEWAL AT END OF TERM.—The Secretary
24 concerned shall renew a grazing permit or lease at the end
25 of the term of the grazing permit or lease if—

1 (1) the land for which the grazing permit or
2 lease is issued remains available for domestic live-
3 stock grazing;

4 (2) the permittee or lessee holding the grazing
5 permit or lease is in compliance with this title and
6 the terms and conditions of the grazing permit or
7 lease; and

8 (3) the permittee or lessee accepts the terms
9 and conditions included by the authorized officer in
10 consultation, cooperation, and coordination with the
11 permittee or lessee.

12 (b) PROHIBITED CONDITION.—Access across private
13 property shall not be required as a condition for the re-
14 newal of a grazing permit or lease.

15 **SEC. 104. MONITORING AND INSPECTION.**

16 (a) MONITORING.—The monitoring of resource condi-
17 tions and trends on Federal land within an allotment shall
18 be performed by qualified persons approved by the Sec-
19 retary concerned and selected only from among the follow-
20 ing persons:

21 (1) Federal, State, or local government person-
22 nel.

23 (2) Professional consultants retained by the
24 United States.

25 (3) Grazing permittees and lessees.

1 (b) INSPECTION.—The inspection of a grazing allot-
2 ment shall be performed by qualified Federal, State, or
3 local agency personnel or qualified consultants retained by
4 the United States.

5 (c) MONITORING CRITERIA AND PROTOCOLS.—Mon-
6 itoring shall be conducted according to regional or State
7 criteria and protocols that are scientifically based and site
8 specific.

9 (d) NOTICE.—In conducting monitoring activities,
10 the Secretary concerned shall provide reasonable notice of
11 such activities to permittees or lessees, including prior no-
12 tice to the extent practicable of not less than 48 hours.

13 **SEC. 105. SUBLEASING.**

14 (a) IN GENERAL.—The Secretary concerned shall
15 only authorize subleasing with respect to a grazing permit
16 or lease, in whole or in part—

17 (1) if the permittee or lessee is unable to make
18 full grazing use of the permit or lease due to ill
19 health or death;

20 (2) under a cooperative agreement with a graz-
21 ing permittee or lessee (or group of grazing permit-
22 tees or lessees); or

23 (3) if the grazing permit lease is issued to a
24 grazing association whose members or shareholders

1 have exclusive rights to graze livestock on the Fed-
2 eral lands allotted to the grazing association.

3 (b) TREATMENT OF OWNERSHIP BY RELATIVES.—

4 (1) IN GENERAL.—Livestock owned by a rel-
5 ative described in paragraph (2) of a permittee or
6 lessee shall be considered as owned by the permittee
7 or lessee for purposes of this title.

8 (2) COVERED RELATIVES.—A relative referred
9 to in paragraph (1), with respect to a permittee or
10 lessee, means a spouse, a parent or spouse of a par-
11 ent, a grandparent or spouse of a grandparent, a
12 sibling or spouse of a sibling, a child, or a grand-
13 child of the permittee or lessee.

14 (c) TREATMENT OF LEASE OR SUBLEASE OF BASE
15 PROPERTY.—The leasing or subleasing of the base prop-
16 erty of a permittee or lessee, in whole or in part, shall
17 not be considered to be a sublease of a grazing permit
18 or lease. The grazing preference associated with such base
19 property shall be transferred to the person controlling the
20 leased or subleased base property, and all terms and condi-
21 tions of the existing grazing permit or lease, or cooperative
22 management agreement and the covenants of the allot-
23 ment management, if such exists, shall bind such person.

24 (d) COORDINATED RESOURCE MANAGEMENT PRAC-
25 TICES.—

1 (1) USE ENCOURAGED.—The Secretary con-
2 cerned may encourage the use of coordinated re-
3 source management practices when such practices
4 are authorized under a cooperative management
5 agreement entered into with a permittee or lessee
6 (or an organized group of permittees or lessees) in
7 a specified geographic area. The coordinated re-
8 source management practices shall be—

9 (A) scientifically based; and

10 (B) consistent with goals and management ob-
11 jectives of the applicable land use plan.

12 (2) FEDERAL ADVISORY COMMITTEE ACT.—Ac-
13 tivities under this subsection shall be exempt from
14 the Federal Advisory Committee Act (5 U.S.C.
15 App.).

16 **SEC. 106. FEES AND CHARGES.**

17 (a) GRAZING FEES.—The fee for each animal unit
18 month in a grazing fee year for livestock grazing on Fed-
19 eral lands in the sixteen contiguous western States shall
20 be equal to the 12-year average of the total gross value
21 of production for beef cattle for the 12 years preceding
22 the grazing fee year, multiplied by the 12-year average of
23 the United States Treasury Securities six-month bill “new
24 issue” rate, and divided by 12. The gross value of produc-
25 tion for beef cattle shall be determined by the Economic

1 Research Service of the Department of Agriculture in ac-
2 cordance with subsection (e)(1).

3 (b) DEFINITION OF ANIMAL UNIT MONTH.—For the
4 purposes of billing only, the term “animal unit month”
5 means one month’s use and occupancy of range by—

6 (1) one cow, bull, steer, heifer, horse, burro, or
7 mule, seven sheep, or seven goats, each of which is
8 six months of age or older on the date on which the
9 animal begins grazing on Federal land;

10 (2) any such animal regardless of age if the
11 animal is weaned on the date on which the animal
12 begins grazing on Federal land; and

13 (3) any such animal that will become 12
14 months of age during the period of use authorized
15 under a grazing permit.

16 (c) LIVESTOCK NOT COUNTED.—There shall not be
17 counted as an animal unit month the use of Federal land
18 for grazing by an animal that is less than six months of
19 age on the date on which the animal begins grazing on
20 such land and is the progeny of an animal on which a
21 grazing fee is paid if the animal is removed from such
22 land before becoming 12 months of age.

23 (d) OTHER FEES AND CHARGES.—

24 (1) CROSSING PERMITS, TRANSFERS, AND BILL-
25 ING NOTICES.—The Secretary concerned shall assess

1 a service charge for each crossing permit, transfer of
2 grazing preference, and replacement or supplemental
3 billing notice (except in a case in which the action
4 is initiated by the authorized officer).

5 (2) AMOUNT OF FLPMA FEES AND CHARGES.—

6 The fees and charges under section 304(a) of the
7 Federal Land Policy and Management Act of 1976
8 (43 U.S.C. 1734(a)) shall reflect reasonable process-
9 ing costs and shall be adjusted periodically as such
10 costs change, but in no case shall such fees and
11 charges exceed the actual administrative and proc-
12 essing costs incurred by the Secretary concerned.

13 (3) NOTICE OF CHANGES.—Notice of a change
14 in a service charge shall be published in the Federal
15 Register.

16 (e) CRITERIA FOR ECONOMIC RESEARCH SERVICE.—

17 (1) GROSS VALUE OF PRODUCTION OF BEEF
18 CATTLE.—The Economic Research Service of the
19 Department of Agriculture shall continue to compile
20 and report the gross value of production of beef cat-
21 tle, on a dollars-per-bred-cow basis for the United
22 States, as is currently published by the Service in:
23 “Economic Indicators of the Farm Sector: Cost of
24 Production—Major Field Crops and Livestock and

1 Dairy' (Cow-calf production cash costs and re-
2 turns).

3 (2) AVAILABILITY.—For the purposes of deter-
4 mining the grazing fee for a given grazing fee year,
5 the gross value of production (as described above)
6 for the previous calendar year shall be made avail-
7 able to the Secretary concerned, and published in
8 the Federal Register, on or before February 15 of
9 each year.

10 **SEC. 107. RESOURCE ADVISORY COUNCILS.**

11 (a) ESTABLISHMENT.—The Secretary of Agriculture
12 and the Secretary of the Interior, in consultation with the
13 Governor of the affected State, shall jointly establish and
14 operate a Resource Advisory Council on a State, regional,
15 or local level to provide advice on management issues re-
16 garding Federal lands within the area to be covered by
17 such Council. A Resource Advisory Council is not required
18 in any State, region, or local area in which the Secretaries
19 jointly determine that there is insufficient interest in par-
20 ticipation on a Resource Advisory Council to ensure that
21 membership can be fairly balanced in terms of the points
22 of view represented and the functions to be performed.

23 (b) DUTIES.—Each Resource Advisory Council shall
24 advise the Secretary concerned and appropriate State offi-
25 cials on—

1 (1) matters regarding the preparation, amend-
2 ment, and implementation of land use plans and ac-
3 tivity plans for Federal lands (and resources thereof)
4 within the area covered by the Council; and

5 (2) major management decisions, while working
6 within the broad management objectives established
7 for such Federal lands.

8 (c) VOTING.—All decisions and recommendations by
9 a Resource Advisory Council shall be on the basis of a
10 majority vote of its members.

11 (d) DISREGARD OF ADVICE.—If a Resource Advisory
12 Council becomes concerned that its advice is being arbi-
13 trarily disregarded, the Resource Advisory Council may re-
14 quest that the Secretary concerned respond directly to the
15 Resource Advisory Council's concerns within 60 days after
16 the Secretary receives the request. The response of the
17 Secretary concerned to such a request shall not—

18 (1) constitute a decision on the merits of any
19 issue that is or might become the subject of an ad-
20 ministrative appeal; or

21 (2) be subject to appeal.

22 (d) MEMBERSHIP.—

23 (1) NUMBERS.—The Secretary of Agriculture
24 and the Secretary of the Interior, in consultation
25 with the Governor of the affected State or States,

1 shall jointly appoint the members of each Resource
2 Advisory Council. A Council shall consist of not less
3 than nine members and not more than fifteen mem-
4 bers.

5 (2) REPRESENTATION.—In appointing members
6 to a Resource Advisory Council, the Secretaries shall
7 provide for balanced and broad representation of
8 permittees and lessees holding a grazing permit or
9 lease and other groups, such as commercial inter-
10 ests, recreational users, representatives of recognized
11 local environmental or conservation organizations,
12 educational, professional, or academic interests, rep-
13 resentatives of State and local government or gov-
14 ernmental agencies, Indian tribes, and other mem-
15 bers of the affected public.

16 (3) INCLUSION OF ELECTED OFFICIAL.—The
17 Secretaries shall appoint as a member of each Re-
18 source Advisory Council at least one elected official
19 of a general purpose government serving the people
20 of the area covered by the Council.

21 (4) PROHIBITION ON CONCURRENT SERVICE.—
22 No person may serve concurrently on more than one
23 Resource Advisory Council.

1 (5) RESIDENCY REQUIREMENT.—Members of a
2 Resource Advisory Council must reside in the geo-
3 graphic area covered by the Council.

4 (6) GRANDFATHER CLAUSE.—A person serving
5 on the date of the enactment of this Act as a mem-
6 ber of a advisory council established under section
7 309(a) of the Federal Land Policy and Management
8 Act of 1976 (43 U.S.C. 1739(a)) for the purpose of
9 providing advice regarding grazing issues shall serve
10 as a member on the corresponding Resource Advi-
11 sory Council established under this section for the
12 balance of the person’s term as a member on the
13 original advisory council.

14 (e) SUBGROUPS.—A Resource Advisory Council may
15 establish such subgroups as the Council considers nec-
16 essary, including working groups, technical review teams,
17 and rangeland resource groups.

18 (f) TERMS.—Resource Advisory Council members
19 shall be appointed for two-year terms. Members may be
20 appointed to additional terms at the discretion of the Sec-
21 retaries. The Secretaries, with the concurrence of the Gov-
22 ernor of the State in which the Council is located, may
23 terminate the service of a member of that Council, upon
24 written notice, if—

25 (1) the member—

1 (A) no longer meets the requirements
2 under which the member was appointed;

3 (B) fails or is unable to participate regu-
4 larly in the work of the Council; or

5 (C) is convicted of a Federal felony; or

6 (2) in the judgment of the Secretaries and the
7 Governor termination is in the public interest.

8 (g) COMPENSATION AND REIMBURSEMENT OF EX-
9 PENSES.—A member of a Resource Advisory Council shall
10 not receive any compensation in connection with the per-
11 formance of the member's duties, but shall be reimbursed
12 for travel within the geographic area covered by the Coun-
13 cil and per diem expenses only while on official business,
14 as authorized by section 5703 of title 5, United States
15 Code.

16 (h) FEDERAL ADVISORY COMMITTEE ACT.—Except
17 to the extent that it is inconsistent with this title, the Fed-
18 eral Advisory Committee Act (5 U.S.C. App.) shall apply
19 to the Resource Advisory Councils.

20 (i) STATE GRAZING DISTRICTS.—Resource Advisory
21 Councils shall coordinate and cooperate with State Graz-
22 ing Districts established pursuant to State law.

1 **TITLE II—MISCELLANEOUS**

2 **SEC. 201. EFFECTIVE DATE.**

3 This Act and the amendments made by this Act shall
4 take effect on the date of the enactment of this Act.

5 **SEC. 202. ISSUANCE OF NEW REGULATIONS.**

6 The Secretary of Agriculture and the Secretary of the
7 Interior shall—

8 (1) coordinate the promulgation of new regula-
9 tions to carry out this Act; and

10 (2) publish such regulations simultaneously not
11 later than 180 days after the date of the enactment
12 of this Act.

○