



July 2016

UNAUTHORIZED GRAZING

Actions Needed to Improve Tracking and Deterrence Efforts

GAO Highlights

Highlights of [GAO-16-559](#), a report to the Committee on Natural Resources, House of Representatives

Why GAO Did This Study

BLM, within the Department of the Interior, and the U.S. Forest Service, within the Department of Agriculture, are responsible for managing most of the nation's public rangelands.

Ranchers must obtain permits or leases from the agencies to graze livestock on federal lands.

Unauthorized grazing may take various forms, such as grazing more livestock than permitted or grazing without a permit.

GAO was asked to examine unauthorized grazing. This report (1) describes what is known about the frequency and extent of unauthorized grazing, and its effects, and (2) examines the agencies' efforts to detect, deter, and resolve unauthorized grazing. GAO analyzed 5 years of the most recent data available on incidents where the agencies had taken formal action on unauthorized grazing (grazing years 2010 through 2014); examined federal laws and agency regulations, policies, and practices; and interviewed by telephone or site visit officials in a nongeneralizable sample of 22 agency field offices in eight western states where most unauthorized grazing had occurred.

What GAO Recommends

GAO is making six recommendations, including that the agencies take actions to record all incidents of unauthorized grazing, that they amend regulations to reflect their practices for resolving such incidents or comply with their regulations, and that the Forest Service revise its unauthorized grazing penalty structure. The agencies generally agreed with GAO's findings and recommendations.

View [GAO-16-559](#). For more information, contact Anne-Marie Fennell at (202) 512-3841 or fennella@gao.gov.

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What GAO Found

The frequency and extent of unauthorized grazing on Bureau of Land Management (BLM) and U.S. Forest Service lands are largely unknown because according to agency officials, the agencies prefer to handle most incidents informally (e.g., with a telephone call) and do not record them. The agencies' databases contained information on nearly 1,500 incidents of unauthorized grazing where formal action was taken by the agencies' range program or law enforcement staff for grazing years 2010 through 2014 (March 1 to February 28). Unauthorized grazing incidents were recorded in the agencies' databases when the agencies billed a penalty for unauthorized grazing or prepared a law enforcement report. However, agency staff told GAO that they handle most incidents informally—their preferred practice—and do not record them in databases or consistently in paper files, because, in part, they do not consider it a priority. As a result, the agencies have incomplete information on the extent of unauthorized grazing. Federal internal control standards call for clear documentation of all transactions and other significant events. Until the agencies require that all incidents of unauthorized grazing be recorded, including those incidents resolved informally, BLM and the Forest Service will not have a complete record of unauthorized grazing incidents with which to identify any potential pattern of violations.

GAO found that the agencies' preferred practice of informally resolving unauthorized grazing is not provided for under agency regulations. Specifically, the regulations do not provide the flexibility to resolve incidents informally without a written notice of violation (in the case of BLM) and without charging unauthorized grazing penalties (in the case of the Forest Service). Most agency staff told GAO that informal resolution is the most effective way to resolve non-willful unauthorized grazing (e.g., when livestock stray outside of their permitted area and graze in an unauthorized area). As discussed in federal internal control standards, program operations are effective and efficient in achieving agency objectives when they produce the intended results and minimize the waste of resources. By amending regulations to establish a procedure for the informal resolution of minor infractions, the agencies could achieve the objective of efficiently resolving such incidents with minimal conflict within its regulatory authority. Alternatively, rather than amending their existing regulations to match their practices, the agencies' could change their practices to comply with their existing regulations. In addition, BLM and the Forest Service undertake similar efforts to detect and deter unauthorized grazing, such as conducting compliance inspections and assessing penalties for unauthorized grazing, but agency staff said that such efforts have limited effectiveness. For example, most of the Forest Service staff GAO interviewed said that unauthorized grazing penalties are too low to act as an effective deterrent. Under current policy, the Forest Services' unauthorized grazing penalty formula calculated a negative number or a number less than the permitted grazing fee for grazing years 2009 through 2012. By adopting an unauthorized grazing penalty structure that is, like BLM's, based on the current price of private forage, the Forest Service's unauthorized grazing penalty can better serve as a deterrent to such grazing.

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Abbreviations

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| AUM | animal unit month |
| BLM | Bureau of Land Management |

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July 7, 2016

The Honorable Rob Bishop
Chairman
The Honorable Raúl Grijalva
Ranking Member
Committee on Natural Resources
House of Representatives

Since the early 1900s, the federal government has required ranchers to pay a fee for grazing their livestock on millions of acres of federal land, primarily in western states. These ranchers must obtain permits or leases from the responsible federal agencies to graze livestock on federal lands, and must comply with the conditions of these permits or leases, such as grazing their livestock in the permitted numbers and locations, to help protect and preserve the range for multiple uses, such as sustainable grazing. Unauthorized grazing may take several forms, such as grazing during unauthorized times of the year, grazing more livestock than allowed by permit, or grazing outside of permitted areas or in areas closed to livestock. Such unauthorized grazing may be unintentional, such as when livestock stray outside of their permitted area through a broken fence and graze in an unauthorized area. In some cases unauthorized grazing is intentional, such as when ranchers purposely overstay their permitted grazing period or ranchers without permits purposely allow their livestock onto federal lands. Several recent high-profile incidents of intentional unauthorized grazing, including confrontations between ranchers and federal officials, have drawn attention to the extent and effects of unauthorized grazing.

The Bureau of Land Management (BLM), within the Department of the Interior, and the U.S. Forest Service, within the Department of Agriculture, are responsible for managing most of the nation's public rangelands. Under the Taylor Grazing Act of 1934 for BLM and, among other statutes, the Organic Act of 1897 for the Forest Service, livestock grazing became a regulated activity.¹ Both agencies administer grazing programs that allow ranchers to obtain permits, leases, or other permissions to graze

¹See 43 U.S.C. § 315 and 16 U.S.C. § 551.

their livestock on federal lands. BLM has the larger grazing program, administering about 17,600 grazing permits on 153 million acres in grazing year 2015; the Forest Service administered about 6,200 grazing permits on 102 million acres in grazing year 2015.² As the administrators of their grazing programs, the agencies are responsible for detecting and deterring unauthorized grazing. In response to unauthorized grazing, the agencies' staff may impose penalties against permittees and modify or cancel grazing permits.³ In addition, the agencies' law enforcement officers may cite permittees or nonpermittees for violations that subject them to criminal penalties for unauthorized grazing.

In December 1990, we reported on BLM's efforts to detect and deter unauthorized livestock grazing on public rangelands.⁴ We found that because many grazing areas were inspected infrequently or not at all during the year, offenders were not likely to be detected. When offenders were detected, BLM frequently exacted no penalties and, for the more serious violations, seldom assessed the minimum penalties its own regulations required. As a result, unauthorized grazing was not adequately deterred, which could lead to degradation of public rangelands, among other things. In our December 1990 report, we made five recommendations to improve BLM's ability to prevent unauthorized grazing. BLM agreed with the recommendations and implemented one of the five. The agency took steps toward implementing some of the others, but did not fully implement the remaining four recommendations.

You asked us to update our December 1990 report and review BLM's and the Forest Service's efforts to address unauthorized grazing. This report (1) describes what is known about the frequency and extent of unauthorized grazing, and its effects, and (2) examines the agencies' efforts to detect, deter, and resolve unauthorized grazing.

²A grazing year for billing purposes is March 1 to February 28 of the following calendar year. For example, grazing year 2016 covers the period of time from March 1, 2016, to February 28, 2017.

³For the purposes of this report, we use "penalties for unauthorized grazing" to describe the monetary settlement costs based on usage rates applied by the agencies.

⁴GAO, *Rangeland Management: BLM Efforts to Prevent Unauthorized Livestock Grazing Need Strengthening*, [GAO/RCED-91-17](#) (Washington, D.C.: Dec. 7, 1990). This December 1990 report focused solely on BLM; grazing on Forest Service lands was not covered in the report.

To describe what is known about the frequency and extent of unauthorized grazing, we analyzed the agencies' unauthorized grazing data, and to describe the effects of such grazing, we reviewed documentation, interviewed agency officials and stakeholder group representatives, and conducted site visits at agency field office locations. Specifically, we collected data from BLM's and the Forest Service's range management, financial, and law enforcement databases on the frequency and extent of unauthorized grazing for grazing years 2010 through 2014, the most recent and complete data available at the time of our review. We assessed the data provided by the agencies based on our review of database system documentation and discussions with agency database stewards and found the data to be sufficiently reliable for our purposes. We conducted in-person or telephone interviews with staff at 22 of the 218 agency field office locations in eight western states: California, Colorado, Idaho, Nevada, New Mexico, Oregon, Utah, and Wyoming. We selected the 22 offices (13 BLM and 9 Forest Service offices) from among the agency field offices that had the highest numbers of unauthorized grazing incidents or that had been recommended by stakeholders. Of the 22 offices, we conducted site visits at 6 offices in Nevada and Wyoming to interview agency range management and law enforcement staff about the agencies' policies and practices for addressing unauthorized grazing, as well as to review paper case files and observe the effects of unauthorized grazing on federal lands. We conducted telephone interviews with staff in the remaining 16 of the 22 BLM and Forest Service field offices. Our interview results are not generalizable to all agency field office locations and grazing lands and instead are illustrative cases of the office locations reporting the highest number of unauthorized grazing incidents. We also interviewed representatives from 11 stakeholder groups, selected based on their interest in grazing issues.⁵

To examine the agencies' efforts to detect, deter, and resolve unauthorized grazing, we analyzed federal laws to identify agency requirements for addressing unauthorized grazing, as well as the agencies' regulations, policies, and practices. We qualitatively analyzed information obtained in agency and stakeholder interviews for common themes and patterns to describe how the agencies address unauthorized

⁵The stakeholders we interviewed primarily represented cattlemen's associations and rangeland, wild horse, and federal employee advocate groups.

grazing and the effectiveness of their efforts. We compared the agencies' policies to their practices in the field, compared the policies' objectives with their outcomes, and assessed the internal controls for the policies and practices. See appendix I for a more detailed description of our objectives, scope, and methodology.

We conducted this performance audit from May 2015 to July 2016 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

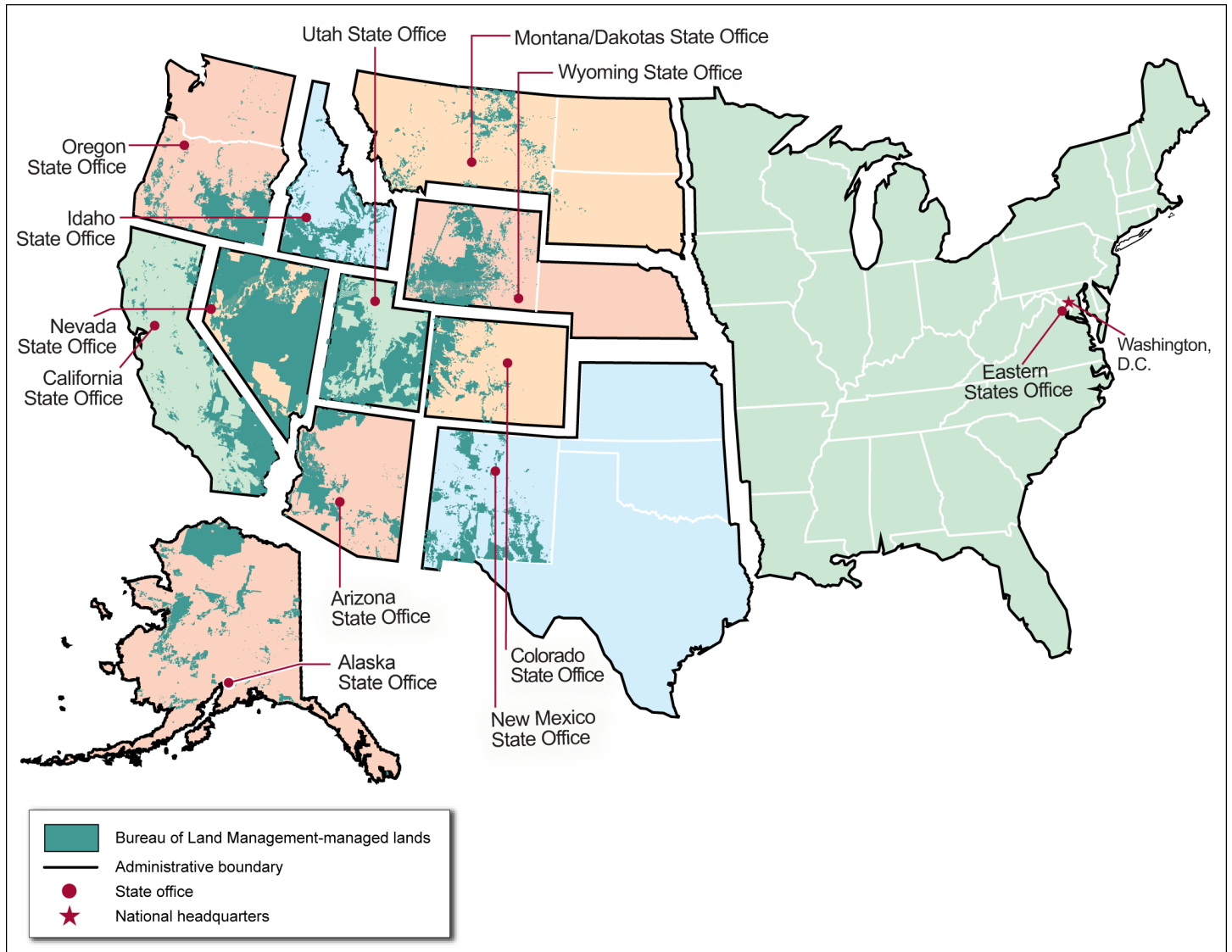
Background

The federal government manages about 640 million acres of land in the United States, including lands in national forests, grasslands, parks, refuges, reservoirs, and military bases and installations. Of the total federal lands, BLM and the Forest Service manage about 450 million acres for multiple uses, including grazing,⁶ timber harvest, recreation, minerals, water supply and quality, and wildlife habitat. BLM's 12 state offices manage nearly 250 million acres in 12 western states, and the Forest Service's 9 regional offices manage more than 190 million acres across the nation (see figs. 1 and 2).⁷ The majority of federal lands are located in the western half of the country.

⁶As we noted in September 2005, 10 federal agencies have programs to allow private ranchers to graze livestock on portions of the lands they manage: the Department of the Interior's BLM, National Park Service, U.S. Fish and Wildlife Service, and Bureau of Reclamation; the Department of Agriculture's U.S. Forest Service; the Department of Energy; and the Department of Defense's Army, Army Corps of Engineers, Air Force, and Navy. See GAO, *Livestock Grazing: Federal Expenditures and Receipts Vary, Depending on the Agency and the Purpose of the Fee Charged*, [GAO-05-869](#) (Washington, D.C.: Sept. 30, 2005). The report reviewed all 10 federal agencies that manage grazing; BLM and the Forest Service managed 98 percent of federal land used for grazing.

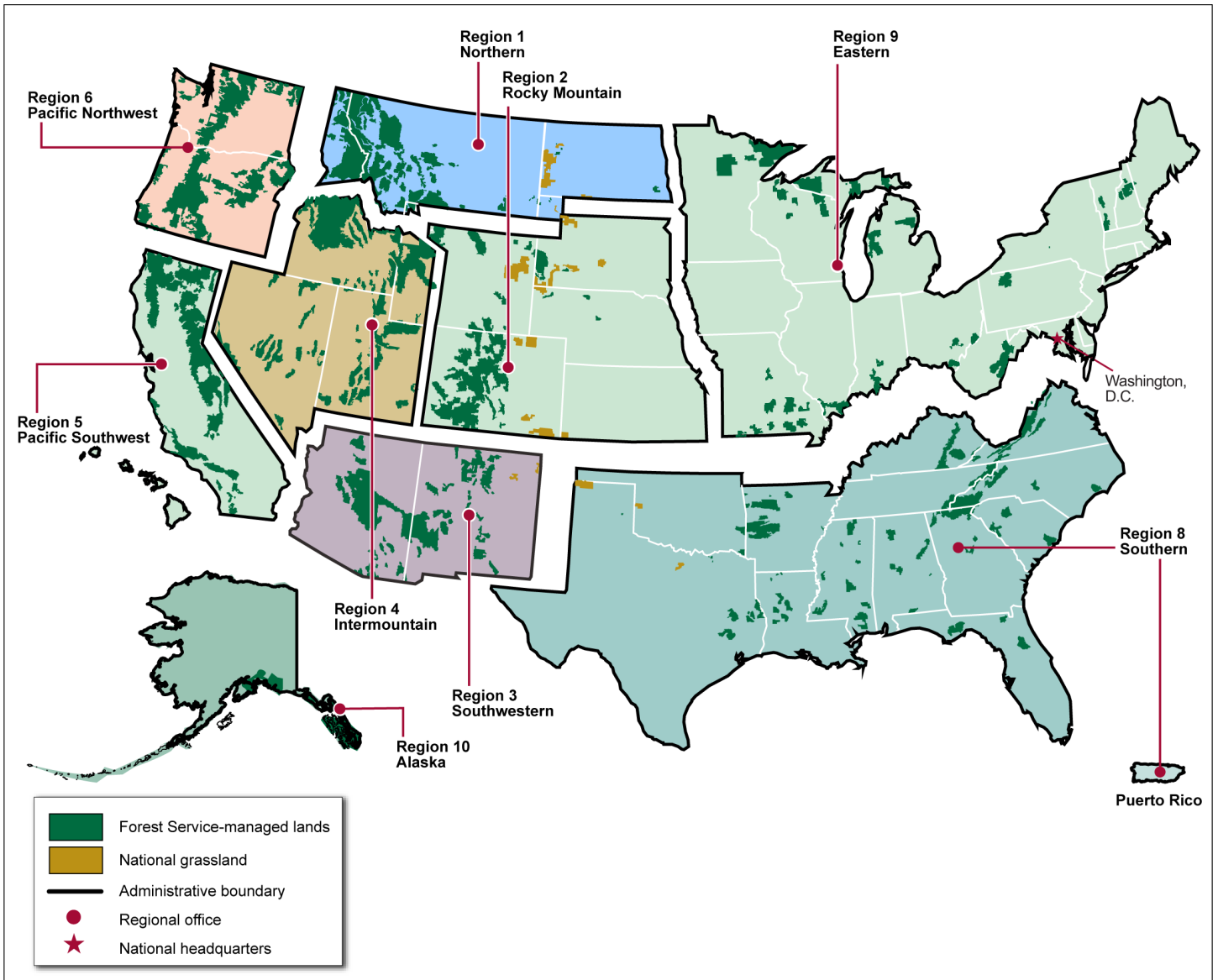
⁷Generally, there are 17 states, including the Great Plains states, considered to be western: Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, New Mexico, Nevada, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming. However, depending on the situation, western states can be grouped and counted differently. Each of BLM's state offices and Forest Service's regional offices has field office locations.

Figure 1: Bureau of Land Management State Offices and Their Administrative Jurisdictions



Source: Bureau of Land Management. | GAO-16-559

Figure 2: U.S. Forest Service Regions and Their Administrative Jurisdictions



Source: U.S. Forest Service. | GAO-16-559

Note: The Forest Service has no Region 7.

The federal government has managed grazing on federal lands for more than 100 years. Following the passage of the Taylor Grazing Act of 1934, the Department of the Interior created the Division of Grazing, later renamed the Grazing Service, to administer provisions of the act. Subsequently, the Grazing Service was merged with the General Land Office to form BLM. The act was passed to stop degradation of public lands caused by overgrazing and soil deterioration; to provide for the orderly use, improvement, and development of public lands; and other purposes. The act also provided for the issuance of permits and leases for these lands and set requirements for the distribution of funds received from grazing. The Forest Service managed grazing under its general authorities until 1950, when Congress enacted the Granger-Thye Act, specifically authorizing the Secretary of Agriculture to issue grazing permits on national forest lands and other lands under the department's administration. Additional laws affecting grazing on both BLM and western Forest Service lands were enacted in the 1970s.⁸

BLM's and the Forest Service's range grazing programs administer livestock grazing for permittees.⁹ Agency law enforcement assists when necessary—primarily to address grazing violations by nonpermittees that cannot be handled administratively. To provide access to grazing, the agencies divide their rangelands into allotments, which can vary in size from a few acres to hundreds of thousands of acres. Because of the land ownership patterns that occurred when the lands were settled, the allotments can be adjacent to private lands or intermingled with private lands. Under its authorities, BLM issues permits for grazing in allotments within its grazing districts and leases for grazing on BLM-administered lands outside grazing districts. To be eligible for a permit or lease on one of BLM's allotments, ranchers, among other things, are required to own or control land or water, called a base property, to which preference for

⁸For example, the Federal Land Policy and Management Act of 1976 limited the length of permits and leases to 10 years and allowed shorter terms, authorized terms, and conditions to be placed on a permit or lease and allowed seasonal limits on grazing. Pub. L. No. 94-579, § 402, 90 Stat. 2743, 2773. The Public Rangelands Improvement Act of 1978 required BLM and the Forest Service to inventory their lands in western states. Pub. L. No. 95-514, § 4, 92 Stat. 1803, 1804.

⁹BLM primarily manages grazing in 11 western states: Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming. The Forest Service manages grazing on forests in 16 western states, eastern states (including Texas), and the national grasslands.

obtaining a permit or lease is attached. The Forest Service, which does not have grazing districts, uses permits to authorize grazing in its allotments.¹⁰ To be eligible for a permit under Forest Service policy, ranchers, among other things, must own base property and the livestock to be permitted. The agencies' permits and leases specify the number and type of livestock allowed on the allotments, the time and duration of use for grazing, and special conditions or use restrictions. Agency field office staff conduct compliance inspections to help ensure that permittees are meeting the terms and conditions of their permits or leases.¹¹ The agencies may modify permits or leases if range conditions are being degraded or suspend or cancel them if permit conditions are violated.

With a few minor exceptions, permittees pay a grazing fee for the use of the federal land. The grazing fee BLM and the Forest Service charge in western states is based on a formula that was originally established by law to prevent economic disruption and harm to the western livestock industry, among other things. The formula expired after 7 years but was extended indefinitely by Executive Order 12,548 and has been incorporated into the agencies' regulations.¹² The fee derived from the formula is generally lower than the fees charged by other agencies, states, and private ranchers. In grazing year 2016, BLM charged ranchers \$2.11 per animal unit month for horses/cattle and \$0.42 for sheep and goats; the Forest Service charged the same rates per head month.¹³ According to the National Agricultural Statistics Service, based on the average private grazing land lease rate per animal unit month, the commercial value of forage in western states ranged from \$9 to \$39 in grazing year 2016. As we found in September 2005, the total grazing fees generated by federal agencies amounted to less than one-sixth of the

¹⁰The Forest Service refers to these as term permits.

¹¹To conduct compliance inspections, field staff visit grazing allotments and check whether the proper number of livestock are in the correct locations. According to agency field staff we interviewed, such inspections may occur randomly; at designated times before, during, or after the grazing season; or in response to reports of potential permit violations.

¹²The Public Rangelands Improvement Act of 1978, Pub. L. No. 95-514, 92 Stat. 1803, and Exec. Order No. 12,548, 51 Fed. Reg. 5985 (Feb. 14, 1986).

¹³Treated as equivalent measures for fee purposes, BLM's animal unit month and the Forest Service's head month refer to the amount of forage a cow and her calf, one horse, or five sheep eat in a month.

agencies' expenditures to manage grazing in 2004.¹⁴ We found that BLM and the Forest Service use most of the grazing fee receipts for range protection and improvements and deposit some receipts to the Department of the Treasury's general fund, with some receipts distributed to states and counties. See appendix II for additional information on grazing, permits, and fees for BLM and the Forest Service.

Unauthorized grazing includes instances in which livestock owners graze on BLM or Forest Service allotments without a permit or lease, as well as instances in which those with permits or leases violate the terms and conditions of those documents, such as by grazing more livestock than allowed by permit, grazing in areas that are closed to livestock, or grazing during unauthorized times of the year. It may be unintentional (non-willful) on the part of the livestock owner, such as when livestock stray through an unlatched gate into an area where they are not permitted to graze, or it may be intentional (willful or repeated willful) such as when a livestock owner purposefully grazes livestock in a manner that is not allowed by a permit or grazes livestock without obtaining a permit once or multiple times.

Under their applicable regulations, BLM and the Forest Service may address unauthorized grazing by charging permittees penalties for unauthorized grazing; revising their permits; impounding livestock; or taking action that could lead to criminal penalties, most commonly for nonpermittees, as follows:

- BLM's grazing regulations establish three levels of unauthorized grazing—non-willful, willful, and repeated willful—with progressively higher penalties for each level.¹⁵ The regulations require that BLM send out a written notice for every potential unauthorized grazing incident.¹⁶ Under certain circumstances, BLM can approve a

¹⁴[GAO-05-869](#).

¹⁵43 C.F.R. §§ 4150.1(a); 4150.3(a), (b), (c) (2005).

¹⁶43 C.F.R. § 4150.2(a) (2005).

nonmonetary settlement for non-willful unauthorized grazing.¹⁷ For willful and repeated willful incidents, in addition to the monetary penalties—the value of the forage consumed—the regulations specify that the offender shall be charged for any damages to the land and reasonable agency expenses incurred to resolve the violation, and BLM shall suspend or cancel all or portions of the grazing permit for repeated willful incidents. BLM may impound and dispose of livestock if the owner is unknown or the permittee fails to remove the livestock when ordered. BLM also has the authority to cite permittees and nonpermittees for grazing violations that subject them to criminal penalties.¹⁸

- The Forest Service’s grazing regulations require the agency, except in certain circumstances, to determine a grazing use rate for unauthorized grazing.¹⁹ The regulations define unauthorized grazing as (1) livestock not authorized by permit to graze upon the land, (2) an excess number of livestock grazed by permittees, or (3) permitted livestock grazed outside the permitted grazing season or allotment.²⁰ Under the regulations, the Forest Service can cancel or suspend a permit if the permittee does not comply with provisions and requirements in the grazing permit or applicable regulations. The agency can impound and dispose of unauthorized livestock or livestock in excess of those authorized by a grazing permit if they are not removed from the area within the periods prescribed by regulation. The Forest Service also has the authority to cite permittees and

¹⁷Under 43 C.F.R. § 4150.3(a) (2005), BLM may approve nonmonetary settlement of non-willful unauthorized use violations if BLM determines that the unauthorized use occurred through no fault of the rancher, the forage use is insignificant, the public lands have not been damaged, and that nonmonetary settlement is in the best interest of the United States.

¹⁸43 C.F.R. § 4170.2-2 (2005).

¹⁹36 C.F.R. § 222.50(a), (h). The exceptions are in 36 C.F.R. § 222.3(c)(2)(ii)(B) through (G). The exceptions are for uses where the Chief of the Forest Service may issue free permits such as for research purposes and administrative studies and other incidental uses. The exceptions do not apply to unauthorized grazing. All unauthorized grazing on Forest Service lands should be charged a penalty.

²⁰The Forest Service refers to violations by permittees as excess grazing and by nonpermittees as unauthorized grazing. For the purpose of this report, we are referring to all grazing violations by permittees or nonpermittees as unauthorized grazing.

nonpermittees for grazing violations that subject them to criminal penalties.²¹

In our December 1990 report on unauthorized grazing on BLM lands, we found that BLM had no systematic method for detecting unauthorized grazing, and when offenses were detected, penalties were rarely assessed.²² We made five recommendations to improve the effectiveness of the BLM'S unauthorized grazing detection and deterrence efforts:

- Develop an unauthorized grazing detection strategy that will (1) establish detection as a workload measure and a reportable accomplishment for which managers are held accountable, (2) use visits to randomly selected allotments to provide systematic compliance coverage, and (3) target additional follow-up visits for those livestock operators who have a history of repeated violations.
- Either (1) ensure that penalties are assessed for all non-willful unauthorized grazing violations as provided for in BLM regulations or (2) amend BLM regulations to establish a procedure for the informal resolution of non-willful unauthorized grazing violations at the local level.
- Require that all unauthorized grazing incidents—including those now handled informally—be documented and made part of the permanent unauthorized grazing file.
- Ensure that field staff impose the penalties required under BLM regulations for willful and repeated willful unauthorized grazing.
- Develop a management information system to provide timely, reliable, and adequate information on such things as (1) the number of compliance visits conducted, (2) the number and level of violations identified, and (3) how each violation is resolved, including those resolved informally.

BLM agreed with the recommendations and implemented one of the five by developing an unauthorized grazing detection strategy. The agency took steps toward implementing some of the others, but did not fully implement the remaining four recommendations.

²¹36 C.F.R. pt. 261.

²²[GAO/RCED-91-17](#).

The Frequency and Extent of Unauthorized Grazing on Agency Lands Are Largely Unknown, and Its Effects May Include Rangeland Degradation

The frequency and extent of unauthorized grazing on BLM and Forest Service lands are largely unknown because according to agency officials the agencies prefer to handle most incidents informally and do not record them. The agencies' databases contained information on nearly 1,500 incidents of unauthorized grazing where formal action was taken by the agencies' range program or law enforcement field staff for grazing years 2010 through 2014. Unauthorized grazing incidents were recorded in the range management databases when a penalty for unauthorized grazing was billed to a permittee by program staff and in the law enforcement databases when a formal report or notice was entered by a law enforcement officer. However, agency field staff told us that most incidents they identify are handled informally—their preferred practice—and are not recorded in their databases or consistently recorded in paper files. Agency field staff told us that unauthorized grazing can severely degrade the range under certain conditions, such as drought, and also told us of other effects, such as creating conflicts between the agencies' staff, ranchers, and other stakeholders.

Agency Databases Identified Nearly 1,500 Incidents of Unauthorized Grazing Where Formal Action Was Taken from 2010 to 2014

The agencies' databases identified nearly 1,500 incidents of unauthorized grazing where formal action was taken by range program staff or by agency law enforcement officers for grazing years 2010 through 2014; BLM data identified a total of 859 incidents, and Forest Service data identified 618 incidents (see table 1).

Table 1: Number of Unauthorized Grazing Incidents Where Formal Action Was Taken by the Bureau of Land Management and U.S. Forest Service, Grazing Years 2010–2014

| Agency | Unauthorized grazing incidents where formal action was taken | | Total |
|---------------------------|--|--------------------------|--------------|
| | By grazing program staff | By law enforcement staff | |
| Bureau of Land Management | 433 | 426 | 859 |
| U.S. Forest Service | 190 | 428 | 618 |
| Total | 623 | 854 | 1,477 |

Source: GAO analysis of Bureau of Land Management and U.S. Forest Service data. | GAO-16-559

Notes: The grazing year used for billing grazing fees is March 1 to February 28.

The Bureau of Land Management's and U.S. Forest Service's rangeland grazing programs administer livestock grazing for permittees. Agency law enforcement assists when necessary—primarily to address grazing violations by nonpermittees that cannot be addressed administratively.

The unauthorized grazing incidents identified in the Bureau of Land Management's range management database represent those incidents that occurred in grazing years 2010 through 2014 and were settled and billed by December 28, 2015. The incidents identified in the U.S. Forest Service's range management database represent all those incidents where a penalty for unauthorized

grazing was billed in grazing years 2010 through 2014. The incidents in the law enforcement databases of both agencies represent incidents where formal documentation, such as an incident report (record of observation), warning notice, or violation notice was prepared and entered by a law enforcement officer. The possibility exists that a limited number of incidents were recorded in both the grazing program and law enforcement databases.

The agencies' grazing program field staff generally handle unauthorized grazing by permittees through their administrative process, and law enforcement officers primarily handle unauthorized grazing by those without permits through warnings or criminal citations. Each agency has separate range management and law enforcement databases. For example, unauthorized grazing is recorded in BLM's range management database when a formal action is taken to send a bill to a permittee for penalties—and in some cases charges for damage to the land or to recoup the administrative expenses of the agency—for incidents of unauthorized grazing.²³ In some cases, BLM may include penalties for more than one incident of unauthorized grazing in one bill. The Forest Service's range management database contains incidents where a formal action was taken to send a bill for penalties for unauthorized grazing incidents. The law enforcement databases of both agencies contain incidents where formal documentation, such as an incident report (record of observation), warning notice, or violation notice was prepared by a law enforcement officer and entered into the database.²⁴ See appendix III for detailed information on the extent and frequency of unauthorized grazing formally reported in the agencies' databases.

²³Incidents that are resolved nonmonetarily are not in the database because no bill is generated. BLM does not maintain a central database of notices of violation sent to permittees.

²⁴The possibility exists that some incidents were recorded in both the range management and law enforcement databases. For example, if a BLM law enforcement officer recorded observations of potential unauthorized grazing in an incident report that is entered in the law enforcement database, and then passed that information to the range program staff for resolution with a permittee, the incident may have been recorded in the program's database when a bill was issued. Based on our analysis, such situations cannot be identified with certainty within the databases, but agency officials told us they are unlikely to occur frequently.

Agencies Report Handling Most Unauthorized Grazing Incidents Informally and Do Not Record Them in Their Databases

The full extent and frequency of unauthorized grazing is unknown because most unauthorized grazing incidents identified by the agencies' range program field staff are handled informally and are not recorded in their databases, according to agency officials. We found that these incidents were inconsistently documented in their paper files.²⁵ The databases do not include incidents that are informally resolved with telephone calls or by visits from the agency program staff to the permittees asking them to remove their livestock from areas where they are not permitted.²⁶ Staff we interviewed from all 22 BLM and Forest Service field offices told us they prefer such informal resolutions, particularly for incidents that appear to be non-willful and involve a few head of livestock with no resource damage. Agency staff said that these types of incidents account for the majority of unauthorized grazing they encounter. According to these field staff, the informal resolution allows them to resolve the problem quickly and remain focused on higher-priority activities, such as preparing environmental analyses, while maintaining collaborative and cooperative relations with permittees, who field staff said are largely compliant with their permits.

Agency field staff from both agencies told us that they maintain paper files for permittees that may contain notes on informally resolved unauthorized grazing incidents that are not included in the databases, or may record a telephone call to a permittee in their telephone log. However, they said that such information is not consistently recorded in the permittee files, in part because they do not consider recording such information a priority. As a result, the agencies do not have complete information on unauthorized grazing and therefore may not have the documentation

²⁵Law enforcement officers we spoke with from both agencies told us that they usually report suspected unauthorized grazing incidents to program staff and issue a warning or citation at program staff's request.

²⁶Agency field staff told us that other incidents that would not be recorded include those referred from the program to law enforcement where no enforcement action is taken and those worked out between permittees with no agency intervention. Incidents that go undetected by the agencies would also not be recorded.

needed to deal with any instances of repeat offenders appropriately.²⁷ Federal internal control standards call for agencies to clearly document all transactions and other significant events in a manner that allows the documentation to be readily available for examination.²⁸ This provides a means to retain organizational knowledge and mitigate the risk of having that knowledge limited to a few personnel, as well as a means to communicate that knowledge as needed to external parties, such as external auditors. Until the agencies require that all incidents of unauthorized grazing be recorded, including those incidents resolved informally, BLM and the Forest Service will not have a complete record of unauthorized grazing incidents for tracking patterns of any potential repeat offenders.

Unauthorized Grazing May Degrade Rangelands under Certain Conditions and Can Cause Conflicts between the Agencies, Ranchers, and Stakeholders, among Other Effects

Unauthorized grazing may create various effects, such as severely degrading rangelands under certain conditions. Joint BLM/Forest Service riparian area management guidance states that compliance monitoring of grazing is critical because just a few weeks of unauthorized grazing can set back years of progress in restoring riparian areas²⁹—such as the narrow bands of green adjoining rivers, streams, or springs. Agency field staff we interviewed from 17 out of the 22 offices told us that under certain circumstances, unauthorized grazing can be more damaging than permitted grazing, such as when livestock are allowed into closed riparian areas during times of low precipitation or drought or graze in pastures

²⁷We recommended to BLM in 1990 that information on unauthorized grazing—including those incidents resolved informally—be documented. The agency agreed with, but has not implemented, the recommendation. We also recommended that BLM develop a management information system to provide timely, reliable, and adequate information on such things as (1) the number of compliance visits conducted; (2) the number and level of violations identified; and (3) how each violation is resolved, including those resolved informally. BLM developed the management information system but does not track unauthorized grazing incidents that are resolved informally in the system.

²⁸GAO, *Standards for Internal Control in the Federal Government*, [GAO/AIMD-00-21.3.1](#) (Washington, D.C.: November 1999). GAO has revised and reissued *Standards for Internal Control in the Federal Government*, with the new revision effective as of October 1, 2015. GAO, *Standards for Internal Control in the Federal Government*, [GAO-14-704G](#) (Washington, D.C.: September 2014).

²⁹Bureau of Land Management and U.S. Forest Service, *Riparian Area Management: Grazing Management for Riparian-Wetland Areas*, Technical Reference TR-1737-14 (1997).

earlier than permitted in the spring when grass is first sprouting. Stakeholders told us that the loss of native grass through unauthorized overgrazing may allow invasive species such as cheatgrass to grow, creating a potential fire hazard, or may result in a loss of habitat for threatened species such as sage grouse. During our field visits, we observed locations where unauthorized grazing had resulted in severely damaged natural springs, overgrazed meadows, and trampled streambeds. Agency field staff provided photographs showing unauthorized grazing in protected habitat areas and the effects of overgrazing from unauthorized use (see figs. 3, 4, and 5).

Figure 3: Unauthorized Grazing on Protected Habitat in New Mexico, 2015



Source: U.S. Forest Service. | GAO-16-559

Agency staff told us that they detected cattle grazing on a U.S. Forest Service-designated habitat for the protected New Mexico meadow jumping mouse. The U.S. Fish and Wildlife Service has designated the New Mexico meadow jumping mouse as endangered under the Endangered Species Act.

Figure 4: Unauthorized Grazing on Protected Habitat and Overgrazed Vegetation in New Mexico, 2015



Source: U.S. Forest Service. | GAO-16-559

The cattle in the background are grazing on New Mexico meadow jumping mouse proposed critical habitat. Agency staff told us that the fenced area in the foreground shows how severely the vegetation has been grazed outside of the enclosure. The U.S. Fish and Wildlife Service has designated the New Mexico meadow jumping mouse as endangered under the Endangered Species Act.

Figure 5: Before and After Unauthorized Grazing on a Riparian Area, Oregon, 2015

Before



After



Source: U.S. Forest Service. | GAO-16-559

According to U.S. Forest Service staff, permitted livestock were to be off the pasture in July 2015, when the before picture was taken. The agency staff documented about 12 pairs of livestock still on the pasture in October 2015. According to the staff, the after picture depicts the effects of a small number of livestock left on a pasture after the authorized date.

Agency staff and stakeholders told us that unauthorized grazing can strain relationships and cause conflicts among various groups. Various stakeholders, such as range protection advocates and others, told us that they often observe unauthorized livestock grazing on the agencies' allotments in the course of their resource monitoring or other activities and notify agency field staff. They are frustrated when it appears that the agencies do not take action. Agency staff we interviewed from 15 out of the 22 field offices told us that they are not always able to confirm and take action on such reporting because it is not timely or lacks specificity, and many staff said that following up to confirm such reports takes them away from higher-priority responsibilities. Agency staff also told us that permittees get frustrated if they do not take prompt action to stop unauthorized grazing by others, such as nonpermittees, which can also lead to conflicts among ranchers, for example, if a nonpermittee's stray livestock consume the forage on a permittee's allotment through unauthorized grazing. According to a wild horse advocate we interviewed, the advocate had experienced threats from ranchers engaged in unauthorized grazing on the range while the advocate was working with BLM to protect and manage the horses.

Agency field staff and stakeholders told us there are only a small number of confrontational ranchers who do not recognize the agencies' authority to manage the range and engage in willful unauthorized grazing, but they are concerned that the problem will grow. Agency field staff we interviewed from 5 out of the 22 field offices told us that high-profile cases of intentional unauthorized grazing and related antigovernment protests can affect agency decision making regarding enforcement, and staff at 4 out of the 22 field offices told us that not taking enforcement action on violators is likely to encourage more unauthorized grazing. For example, staff at one Forest Service office in Oregon told us that they were prepared to suspend a rancher's permit for repeated unauthorized grazing violations but decided not to because of the standoff by antigovernment activists at Malheur National Wildlife Refuge. Agency staff we interviewed from 6 of the 22 field offices told us that lack of support from higher-level managers for strong enforcement action does not incentivize field staff to act on unauthorized grazing and, in some cases, lowers staff morale. The leaders of two stakeholder groups, Western Watersheds Project and Public Employees for Environmental Responsibility, jointly wrote a letter to the Secretary of the Interior in 2015 to express concern about the lack of effective range management of BLM lands in Nevada because of what they characterized as higher-level pressure on local managers to accept ranchers' demands when settling unauthorized grazing incidents; agency staff from three of the local offices we spoke with shared this concern.³⁰ BLM responded to the stakeholders' letter on behalf of the Secretary, stating that the agency is committed to collaborating with permittees to resolve problems that reflect the interests of affected communities while also ensuring that public lands are managed and conserved for the future.

Agency field staff we interviewed from 14 out of the 22 offices told us they generally do not have safety concerns while performing their duties, or did not mention any such concerns, even with the potential for confrontational tactics by some ranchers. BLM and Forest Service law enforcement officials told us that the overall trend for assaults and threats to agency staff had been down in recent years, but they do not track assaults and threats specifically related to grazing incidents. However, BLM field staff

³⁰Letter from Western Watersheds Project and Public Employees for Environmental Responsibility to the Secretary of the Department of the Interior, June 10, 2015.

in Southern Nevada were directed by the state office not to visit grazing allotments after an armed standoff with a rancher over the agency's impoundment of his cattle for unauthorized grazing. At one BLM field office we visited in Northern Nevada, there was a protest site established across the street in response to the office's efforts to enforce unauthorized grazing regulations (see fig. 6). Field staff told us that as a result of a statewide BLM assessment, the office upgraded its security to include video cameras, card key locks, and entrance barricades.

Figure 6: Protest Site at Bureau of Land Management Office, Nevada, 2015



Source: Bureau of Land Management (BLM). | GAO-16-559

This site across the street from the BLM field office is used, according to agency staff, to protest BLM's efforts to impose penalties for unauthorized grazing.

Finally, unauthorized grazing that is not detected or not formally acted on when identified cannot be billed penalties for unauthorized grazing, resulting in forgone revenues. The agencies track penalties for unauthorized grazing billed and collected but do not track those forgone. Based on information from the agencies' databases, BLM and the Forest Service collected nearly \$450,000 for unauthorized grazing in grazing years 2010 through 2014. BLM collected about \$426,000 and has a balance due of about \$8,000 for unauthorized grazing during that time frame. The Forest Service collected about \$24,000 and reported no balance due for the same time frame.

Agencies' Efforts to Detect, Deter, and Resolve Unauthorized Grazing Have Shortcomings That Limit Their Effectiveness

BLM and the Forest Service undertake similar efforts to detect and deter unauthorized grazing, such as conducting compliance inspections on grazing allotments and charging penalties for unauthorized grazing, but agency field staff told us that such efforts have limited effectiveness for various reasons. While it is the preferred practice of agency field staff to resolve incidental unauthorized grazing informally, BLM and Forest Service regulations do not provide agency staff with the flexibility to resolve incidents informally with no written notice of violation and no penalty for unauthorized grazing charged.

BLM and the Forest Service Have Similar Detection and Deterrence Efforts, but Effectiveness Is Limited for Various Reasons

BLM and the Forest Service have undertaken a number of similar efforts to detect and deter unauthorized grazing. These include conducting compliance inspections, charging penalties for unauthorized grazing, issuing willful and repeated willful violations, modifying permits, and issuing criminal citations. However, BLM and Forest Service field staff we spoke with said that these efforts can have limited effectiveness in practice for various reasons, such as field staff being unavailable to conduct compliance inspections because of other priorities or the penalty for unauthorized grazing being lower than the current commercial value of forage.

Compliance Inspections

Field staff from both agencies told us that conducting compliance inspections is one of their more effective efforts for detecting and deterring unauthorized grazing. Specifically, staff we interviewed from 16 of the 22 agency offices said that compliance inspections are always or usually effective in detecting unauthorized grazing, and staff from 13 of the 22 said that such inspections are always or usually an effective deterrent. However, field office staff we spoke with told us that they have a limited number of knowledgeable staff—in part because of significant staff turnover, including transfers and retirements—administering vast acres of rangeland, and growing workloads that require multitasking and spending significant time in the office. In addition, grazing allotments are often in remote locations that can take hours to access by vehicle, horseback, or hiking. As a result, they said that compliance inspections are not a top priority and some allotments are seldom visited, which may diminish inspections' deterrent effect. The number of field range staff available to conduct compliance inspections declined for both agencies

Penalties for Unauthorized
Grazing

from 2010 to 2014—from 1,829 to 1,795 for BLM and from 443 to 399 for the Forest Service.³¹ On average, each BLM range staff member is responsible for approximately 85,000 acres, and each Forest Service range staff member is responsible for approximately 255,000 acres. At one BLM field office in Utah, field staff told us that 2 range staff are responsible for 2 million acres and that competing work priorities often keep these staff in the office rather than out in the field. Many field staff said they focus inspections on areas with a history of compliance issues but that some unauthorized grazing likely goes undetected.

Agency field staff—primarily those from the Forest Service—told us that penalties for unauthorized grazing are too low under current agency policy to act as an effective deterrent. Field staff we interviewed from 6 out of the 9 Forest Service offices and 4 out of the 13 BLM offices said that penalties for unauthorized grazing are rarely or never an effective deterrent. As a result, some told us that there are permittees who view the penalties for unauthorized grazing as a cost of doing business because paying the penalties is cheaper than seeking forage elsewhere. For example, Forest Service staff at one field location told us that they are reluctant to send a bill for penalties for unauthorized grazing because it shows how low the penalty is and may encourage additional unauthorized grazing.

We found that for grazing years 2008 through 2014, the Forest Service penalty for unauthorized grazing was \$2.51 or less per head month, which was substantially less than BLM's penalty for unauthorized grazing. The Forest Service calculates this penalty using the same formula that it and BLM use each year to calculate the permitted grazing fee. The formula for the permitted fee has a preset base value of \$1.23 and other input values, such as the prices of private forage and beef cattle, which can vary annually. To calculate its penalty for unauthorized grazing using this formula, the Forest Service applies a higher preset base value of \$3.80 rather than \$1.23. (For more detailed information on the formula and calculation, see app. II.) For grazing years 2009 through 2012, the Forest Service's unauthorized grazing penalty formula calculation would have resulted in a negative number or a number lower than the permitted

³¹BLM provided data on staff at the end of each fiscal year; the Forest Service provided information on staff as of January 31 of each year.

grazing fee. To address this situation, a Forest Service official told us that the agency decided to hold the penalty for unauthorized grazing at \$2.24 per head month until the formula calculation resulted in a higher penalty. In contrast, as shown in table 2, the BLM penalty for non-willful unauthorized grazing—based on commercial forage rates in each state—ranged from \$8 to \$33.50 per animal unit month for grazing years 2008 through 2014, and BLM doubled the penalty for willful incidents and tripled it for repeated willful incidents. In addition, with higher-level offenses (willful and repeated willful), BLM regulations require unauthorized grazing bills to also include “all reasonable expenses incurred by the United States in detecting, investigating, resolving violations, and livestock impoundment costs.”³²

Table 2: Bureau of Land Management’s and U.S. Forest Service’s Permitted Grazing Fee and Unauthorized Grazing Penalties, Grazing Years 2001–2016

| Grazing year ^a | Permitted grazing fee ^b | U.S. Forest Service penalty for unauthorized grazing ^c | Bureau of Land Management penalty for unauthorized grazing | | |
|---------------------------|------------------------------------|---|--|------------------------------|---------------------------------------|
| | | | Non-willful penalty ^d | Willful penalty ^d | Repeated willful penalty ^d |
| 2001 | \$1.35 | \$3.34 | \$7.00 – \$20.00 | \$14.00 – \$40.00 | \$21.00 – \$60.00 |
| 2002 | 1.43 | 4.41 | 7.00 – 20.60 | 14.00 – 41.20 | 21.00 – 61.80 |
| 2003 | 1.35 | 3.80 | 7.50 – 22.00 | 15.00 – 44.00 | 22.50 – 66.00 |
| 2004 | 1.43 | 4.41 | 7.00 – 21.60 | 14.00 – 43.20 | 21.00 – 64.80 |
| 2005 | 1.79 | 6.12 | 8.00 – 23.00 | 16.00 – 46.00 | 24.00 – 69.00 |
| 2006 | 1.56 | 4.83 | 8.00 – 22.50 | 16.00 – 45.00 | 24.00 – 67.50 |
| 2007 | 1.35 | 4.10 | 8.00 – 24.00 | 16.00 – 48.00 | 24.00 – 72.00 |
| 2008 | 1.35 | 2.24 | 8.00 – 23.00 | 16.00 – 46.00 | 24.00 – 69.00 |
| 2009 | 1.35 | 2.24 | 8.50 – 25.00 | 17.00 – 50.00 | 25.50 – 75.00 |
| 2010 | 1.35 | 2.24 | 8.33 – 24.80 | 16.66 – 49.60 | 24.99 – 74.40 |
| 2011 | 1.35 | 2.24 | 9.00 – 25.60 | 18.00 – 51.20 | 27.00 – 76.80 |
| 2012 | 1.35 | 2.24 | 9.00 – 27.30 | 18.00 – 54.60 | 27.00 – 81.90 |
| 2013 | 1.35 | 2.51 | 9.00 – 28.50 | 18.00 – 57.00 | 27.00 – 85.50 |
| 2014 | 1.35 | 2.31 | 9.00 – 33.50 | 18.00 – 67.00 | 27.00 – 100.50 |

³²43 C.F.R. § 4150.3 (2005).

| Grazing year ^a | Permitted grazing fee ^b | U.S. Forest Service penalty for unauthorized grazing ^c | Bureau of Land Management penalty for unauthorized grazing | | |
|---------------------------|------------------------------------|---|--|------------------------------|---------------------------------------|
| | | | Non-willful penalty ^d | Willful penalty ^d | Repeated willful penalty ^d |
| 2015 | 1.69 | 2.89 | 9.00 – 38.00 | 18.00 – 76.00 | 27.00 – 114.00 |
| 2016 | 2.11 | 10.68 | 9.00 – 39.00 | 18.00 – 78.00 | 27.00 – 117.00 |

Source: Bureau of Land Management and U.S. Forest Service data. | GAO-16-559

^aThe grazing year used for billing grazing fees is March 1 to February 28.

^bThe permitted grazing fee is for cattle and horses, and it is based on the formula and constraints in the Public Rangelands Improvement Act of 1978 and Executive Order No. 12,548 (Feb. 14, 1986). For example, under the executive order the grazing fee cannot be less than \$1.35 and it cannot change more than 25 percent of the previous year's fee. BLM charges the rate by animal unit month and Forest Service charges the rate by head month. Treated as equivalent measures for fee purposes, each is the amount of forage needed to support one cow and her calf, one horse, or five sheep for a month.

^cThe Forest Service calculates its penalty for unauthorized grazing using the same formula that is used to calculate the permitted grazing fee, but with a higher base value of \$3.80 as compared with \$1.23. Furthermore, the Forest Service's formula for calculating its penalty for unauthorized grazing does not include a lower limit or a limit on the yearly increase or decrease. In grazing year 2008 the penalty fell to \$2.24 and would have fallen into negative numbers under the formula in subsequent years. To address this situation, Forest Service officials decided to hold the penalty at \$2.24 from 2009 to 2012 until the formula calculated a higher penalty in 2013, \$2.51. In 2015, the Forest Service erroneously applied a limit of 25 percent on the increase of the penalty; the penalty with the limit was \$2.89, while the penalty without an increase limit under the formula would have been \$6.48. The agency did not apply a limit on the increase in 2016 to calculate a penalty of \$10.68.

^dBLM bases its penalty for non-willful unauthorized grazing on a state-by-state commercial value of forage—that is, the average private grazing land lease rate per animal unit month—as determined annually by the National Agricultural Statistics Service. For willful unauthorized grazing, the penalty is doubled; for repeated willful, it is tripled.

Compared to BLM's penalties, the Forest Service penalty for unauthorized grazing is less likely to be a deterrent for unauthorized grazing, and the differing penalty structures result in inconsistency between the two federal agencies. As we noted in March 2003,³³ penalties generally should be designed in such a way as to serve as a deterrent for unauthorized activities. Forest Service regulations incorporate Office of Management and Budget guidance, which directs that a fair market value be obtained for all services and resources

³³GAO, *Civil Penalties: Agencies Unable to Fully Adjust Penalties for Inflation Under Current Law*, GAO-03-409 (Washington, D.C.: Mar. 14, 2003). In this March 2003 report, we concluded that civil monetary penalties are an important element of regulatory enforcement and that suitably severe maximum penalties allow agencies to punish willful and egregious violators appropriately and serve as a deterrent to future violations. In addition, we concluded that civil penalties should be periodically adjusted for the effects of inflation so that they do not lose their relevancy.

provided to the public through establishment of a system of reasonable fee charges.³⁴ By adopting a penalty structure for unauthorized grazing use that is, similar to BLM's, based on the current commercial value of forage (a fair market value), the Forest Service's penalty for unauthorized grazing can better serve as a deterrent to such grazing and be consistent with BLM's penalty.

The Forest Service recognized that its formula for calculating its penalty for unauthorized grazing was problematic in grazing year 2009 when the formula produced a negative value. A Forest Service official told us that the agency is considering options for revising the penalty as part of its ongoing update of grazing guidance, but the update has not been completed because of higher priorities. The Forest Service does not have a time frame for when the penalty for unauthorized grazing will be revised, according to agency officials. Until the Forest Service revises its penalty for unauthorized grazing to reflect current forage rates, similar to BLM's, the penalty has limited value as a deterrent to unauthorized grazing.

Willful and Repeated Willful Violations

BLM field staff generally told us that willful and repeated willful unauthorized grazing incidents are rare; most unauthorized grazing is incidental and non-willful. However, staff we interviewed from 3 of the 13 BLM field offices who had encountered willful and repeated willful unauthorized grazing incidents said that such violations are difficult to support because staff must prove that the unauthorized grazing was the fault of the livestock owner and show that a record of prior willful violations existed for repeat offenses, per agency regulations and policy. As mentioned previously, because BLM staff generally prefer informal resolution for most incidents of unauthorized grazing, there may not be a paper trail documenting repeated incidents. In some offices this was exacerbated by staff turnover. Specifically, field staff we interviewed from 7 of the 22 offices told us that institutional knowledge is lost when staff depart who are familiar with the extent and circumstances of unauthorized grazing that was resolved informally. As a result, BLM staff told us that they generally only pursue willful or repeated willful violations for the most egregious, long-term cases of unauthorized grazing.

³⁴36 C.F.R. § 222.50(b).

Agency regulations also direct BLM staff to collect reasonable agency expenses for resolving willful and repeated willful incidents, but field staff told us that they have discretion in determining what is reasonable and therefore may not charge violators for agency expenses. For example, field staff said that they may agree to waive the expenses if they were insignificant or to make it less likely that the permittee will appeal the decision. Our review of willful and repeated willful unauthorized grazing incidents in BLM's grazing program database from grazing years 2010 through 2014 found that the administrative expenses were billed to violators in 98 out of 164, or 60 percent, of such incidents. We reviewed the paper file documentation for BLM's 24 willful and 3 repeated willful unauthorized grazing cases in grazing year 2014, and found that in most cases field staff had documented how they determined the appropriate penalties and expenses to bill.³⁵

Permit Modifications

Agency staff and cattlemen's association representatives told us that the agencies' policies for modifying permits, such as reducing the number of permitted livestock for an allotment or suspending or canceling the permits, are likely to be the greatest deterrent to unauthorized grazing, in part because they directly affect the permittees' livelihoods. Field staff we interviewed from 18 of the 22 offices said that permit modifications are always or usually an effective deterrent. In practice, field staff from 19 of the 22 said that they generally view this as a last resort penalty and seldom modify, suspend, or cancel permits for unauthorized grazing in part because the warning is usually sufficient to obtain compliance. In one example, Forest Service staff at an office in Nevada said they had canceled only one permit, for a permittee with a particularly long record of persistent unauthorized grazing. Staff said that a warning about the potential for permit action is generally enough to achieve immediate compliance in almost all detected unauthorized grazing cases involving permittees.

Citations

According to agency field staff, misdemeanor criminal citations are primarily issued to nonpermittees for unauthorized grazing and can be an effective deterrent. However, law enforcement officers and program staff

³⁵For the cases where the determination of penalties and expenses was not documented, agency staff told us, for example, that a bill for unauthorized grazing penalties may have been sent based on a verbal agreement with the violator, or the expenses may have been considered minimal and therefore were not documented or included in the bill.

we interviewed from 5 out of the 22 offices told us that federal attorneys may choose not to prosecute citations or the courts may lower the penalties, which may diminish the effectiveness of this deterrent. For example, a Forest Service law enforcement officer in Utah said that circuit courts typically lower penalties to a couple hundred dollars or less, which is below the cost of buying forage elsewhere. Furthermore, law enforcement officers and program staff we interviewed from 7 out of the 22 offices told us that when on patrol the officers are generally focused on higher priorities, such as public safety. In addition, staff from 7 of the 22 offices we interviewed said that the officers usually do not have knowledge of permit conditions and therefore do not know when livestock should or should not be in a certain location.

BLM and Forest Service Regulations Do Not Provide Flexibility for the Agencies' Preferred Practice of Informal Resolution for Unauthorized Grazing

BLM and Forest Service regulations do not provide field staff of both agencies with the flexibility to follow their preferred practice of informally resolving unauthorized grazing incidents with no written notice of violation and no penalty for unauthorized grazing. We recommended in 1990 that BLM either ensure that all penalties are assessed for non-willful unauthorized grazing, as provided for in its regulations, or amend its regulations to establish a procedure for informal resolution.³⁶ The agency amended its regulations to add the option for the nonmonetary resolution of certain non-willful incidents, but the amendment did not remove the requirement for a written notice of violation. Forest Service regulations do not specifically require a written notice of violation but require that a penalty be determined; nonmonetary resolution is not an option.³⁷ As a result, informal resolution with no written notice and no penalty—the preferred practice for field staff in dealing with unauthorized grazing—is not allowed for under either agency's regulations.

³⁶GAO/RCED-91-17.

³⁷The Forest Service issued interim grazing permit suspension and cancellation procedures in October 2001 following the ruling of the United States Court of Appeals for the Ninth Circuit in *Anchustegui v. Department of Agriculture*, 257 F.3d 1124 (9th Cir. 2001). The procedures provided guidance for implementing the court's finding that under the Administrative Procedures Act, the Forest Service is required to give notice in writing of the facts which may warrant action, and must give an opportunity to the permit holder to achieve compliance, when the violation is non-willful. The Forest Service has not revised its regulations or policies to reflect these procedures.

While not provided for under the regulations, most agency field staff told us that informal resolution is the most effective way to achieve the objective of quickly resolving non-willful unauthorized grazing with minimal conflict, and is the most efficient use of their time given multiple higher-priority responsibilities. As discussed in federal internal control standards, program operations are effective and efficient in achieving agency objectives when they produce the intended results and minimize the waste of resources.³⁸ Management is responsible for designing the policies and procedures to fit an entity's circumstances and building them in as an integral part of the entity's operations. BLM and Forest Service officials stated that handling incidental unauthorized grazing informally is necessary and effective because they have limited staff and permittees tend to be largely compliant. However, the agencies have not established in regulations procedures for such informal resolution or alternatively taken steps to ensure that staff comply with existing regulations as written. By amending the regulations to establish procedures for the informal resolution of violations of the grazing regulations at the local level, agency management could achieve the objective of quickly resolving incidental unauthorized grazing with minimal conflict, in a manner consistent with its regulations and with the most efficient use of the agency's resources. Alternatively, rather than amending their existing regulations to match their practices, the agencies could change their practices to comply with their existing regulations. BLM officials told us that the agency has faced challenges in revising its grazing regulations, including the incorporation of our 1990 recommendations; the most recent revision was enjoined by the court from implementation in 2006 after it was challenged by interest groups.³⁹ The Code of Federal Regulations currently contains the enjoined regulations; agency officials plan to replace these regulations with the regulations that were in effect prior to the court's action but have not set a date for completing the process.

Furthermore, BLM has not updated its Unauthorized Grazing Use Handbook since 1987—in part because of the enjoined regulations—and it contains guidance that differs in some cases from the existing regulations. For example, the handbook does not reference the option

³⁸GAO/AIMD-00-21.3.1.

³⁹*Western Watersheds Project v. Kraayenbrink*, 538 F. Supp. 2d 1302 (D. Idaho 2008), *aff'd in relevant part* 632 F.3d 472 (9th Cir. 2011), *cert. denied* 132 S.Ct. 366 (2011).

of nonmonetary settlement for certain non-willful unauthorized grazing incidents that is contained in the regulations. In addition, the handbook description of penalties differs from that in the regulations for willful violations—the regulations state that the rate is twice the value of forage consumed, while the handbook states that the rate is three times the value of forage consumed. Furthermore, the regulations state that the value of damages to public lands shall be included in settlement for willful and repeated willful violations, and the handbook states generally that the value of damages “must be charged,” without specifying which violations must incur the charge. As a result, staff using the handbook may not be consistently following the regulations. Federal internal control standards call for agency management to periodically review policies, procedures, and related control activities for continued relevance and effectiveness in achieving the entity’s objectives or addressing related risks.⁴⁰ Without revising the agency’s grazing guidance to make it consistent with the grazing regulations, BLM does not have reasonable assurance that its staff consistently apply the grazing regulations.

Conclusions

BLM and the Forest Service face the daunting task of effectively managing grazing on millions of acres of remote rangeland with a limited number of field staff who have multiple responsibilities and competing priorities. Given the large number of acres and permits managed under the agencies’ programs, the number of unauthorized grazing incidents that are formally reported is relatively small, and the reportedly larger number of incidents that are resolved informally and not recorded in any database or consistently recorded in paper case files are most often considered by agency field staff to be incidental and quickly remedied with minimal impact on range resources. By amending the regulations to establish procedures for the informal resolution of non-willful violations of the grazing regulations at the local level, agency management could achieve the objective of quickly resolving incidental unauthorized grazing with minimal conflict, in a manner consistent with its regulations and with the most efficient use of the agency’s resources. Alternatively, rather than amending their existing regulations to match their practices, the agencies could change their practices to comply with their existing regulations. While it may be reasonable for the agencies to handle incidental

⁴⁰ [GAO/AIMD-00-21.3.1](#).

unauthorized grazing informally, given their limited staff and a largely compliant pool of permittees, it is important that each agency's practices accurately reflect its grazing regulations to ensure clarity and consistency in application for staff and permittees.

Furthermore, without recording the incidents of unauthorized grazing that are informally resolved, neither agency has complete information on the extent and frequency of unauthorized grazing for tracking patterns of any potential repeat offenders. In addition, until BLM revises its grazing guidance to make it consistent with the grazing regulations, the agency does not have reasonable assurance that its staff consistently apply the regulations. Finally, until the Forest Service revises its unauthorized grazing penalty structure to reflect the current value of forage, similar to BLM, the deterrent effect of the penalty will be limited, and some ranchers will continue to view the penalty as a cost of doing business.

Recommendations for Executive Action

To improve the effectiveness of BLM's efforts to track and deter unauthorized grazing, we recommend that the Secretary of the Interior direct the Director of BLM to take the following three actions:

- amend the regulations on unauthorized grazing use—43 C.F.R. Subpart 4150 (2005)—to establish a procedure for the informal resolution of violations at the local level, or follow the existing regulations by sending a notice of unauthorized use for each potential violation as provided by 43 C.F.R. § 4150.2(a) (2005);
- record all incidents of unauthorized grazing, including those resolved informally; and
- revise the agency's *Unauthorized Grazing Use Handbook* to make it consistent with 43 C.F.R. pt. 4100 (2005).

To improve the effectiveness of the Forest Service's efforts to track and deter unauthorized grazing, we recommend that the Secretary of Agriculture direct the Chief of the Forest Service to take the following three actions:

- amend the regulations on range management—36 C.F.R. pt. 222—to provide for nonmonetary settlement when the unauthorized or excess grazing is non-willful and incidental, or follow the existing regulations by determining and charging a grazing use penalty for all unauthorized and excess use when it is identified as provided by 36 C.F.R. § 222.50(a) and (h);

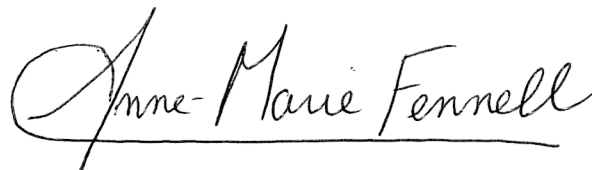
-
- record all incidents of unauthorized grazing, including those resolved informally; and
 - adopt an unauthorized grazing penalty structure that is based, similar to BLM's, on the current commercial value of forage.

Agency Comments

We provided the Departments of Agriculture and the Interior with a draft of this report for their review and comment. In its written comments, reproduced in appendix IV, the Forest Service generally concurred with our findings and recommendations. In its comments, the Forest Service stated that it has taken preliminary steps toward updating its guidance to field units, including guidance for unauthorized grazing penalties similar to BLM's. In its written comments reproduced in appendix V, the Department of the Interior generally concurred with our findings and recommendations. In its comments, the Department of the Interior stated that it will revise its guidance to better describe procedures for following existing regulations, to provide procedures for documenting and recording all unauthorized grazing incidents, and will ensure that its guidance is consistent with its regulations. The Department of the Interior also provided technical comments that were incorporated, as appropriate.

As agreed with your offices, unless you publicly announce the contents of this report earlier, we plan no further distribution until 30 days from the report date. At that time, we will send copies to the appropriate congressional committees, the Secretaries of Agriculture and the Interior, and other interested parties. In addition, the report will be available at no charge on the GAO website at <http://www.gao.gov>.

If you or your staff members have any questions about this report, please contact me at (202) 512-3841 or fennella@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. Key contributors to this report are listed in appendix VI.



Anne-Marie Fennell
Director, Natural Resources and Environment

Appendix I: Objectives, Scope, and Methodology

Our objectives were to (1) describe what is known about the frequency and extent of unauthorized grazing, and its effects, and (2) examine the Bureau of Land Management's (BLM) and the U.S. Forest Service's efforts to detect, deter, and resolve unauthorized grazing.

To describe the frequency and extent of unauthorized grazing, we analyzed the agencies' unauthorized grazing data, and to describe the effects of such grazing, we reviewed documentation, interviewed agency officials and stakeholder group representatives, and conducted site visits at agency field office locations. We collected data from BLM's and the Forest Service's range management, financial, and law enforcement databases on the frequency and extent of unauthorized grazing for grazing years 2010 through 2014,¹ the most recent and complete data available at the time of our review. We also collected information on grazing acres, usage, and permits, which came from different years depending on what was the most recently available at the time of our request. For BLM, we obtained range management data from its Rangeland Administration System; financial data on unauthorized grazing bills from its Collection and Billing System; and law enforcement data from its Incident Management, Analysis, and Reporting System. For the Forest Service, we obtained range management and billing data from its INFRA system and law enforcement data from its Law Enforcement and Investigations Management Attainment Reporting System.² We assessed the data provided by the agencies based on our review of database system documentation and discussions with agency database stewards and found the data to be sufficiently reliable for our purposes.

We conducted in-person and telephone interviews with staff in 22 of the 218 agency field office locations in eight western states where most such grazing had occurred. We selected the 22 offices from among the agency field offices that had the highest numbers of unauthorized grazing incidents or that had been recommended by stakeholders. From the 22 selected offices, we conducted site visits to 6 offices located in Nevada and Wyoming to interview agency range management and law

¹A grazing year for billing purposes is March 1 to February 28. For example, grazing year 2016 covers the period of time from March 1, 2016, to February 28, 2017.

²INFRA is a database tool for tracking infrastructure within the Forest Service's Natural Resource Manager system.

enforcement staff about the extent of unauthorized grazing and the agencies' policies and practices for addressing it, as well as to review paper case files and observe the effects of unauthorized grazing on federal lands. We also conducted telephone interviews with staff in 16 of the 22 BLM and Forest Service field locations in California, Colorado, Idaho, Nevada, New Mexico, Oregon, and Utah. Our interview results are not generalizable to all agency field office locations and grazing lands and instead are illustrative cases of the office locations reporting the highest numbers of unauthorized grazing incidents. Tables 3 and 4 provide more information about the agency field office locations where we conducted interviews.

To obtain the views of interested stakeholders, we conducted interviews with representatives of 11 stakeholder groups, including telephone interviews with cattlemen's association representatives in California, Colorado, Nevada, New Mexico, and Oregon. We also conducted telephone interviews with representatives of other stakeholders, including Public Employees for Environmental Responsibility, Forest Service Employees for Environmental Ethics, Western Watersheds Project, Wildlands Defense, and others, such as a wild horse advocate. We selected these groups based on information provided by agency officials or other stakeholder groups involved in grazing issues; in one case, we spoke with a stakeholder who contacted us after learning of our review. We qualitatively analyzed agency and stakeholder interviews for common themes and patterns to describe how the agencies address unauthorized grazing and the effectiveness of these policies and practices. We coded interviews using qualitative data analysis software that allows organization and analysis of information from a variety of sources. Our coding process involved one independent coder putting information into initial categories and a second independent coder verifying that initial work. The coders discussed and resolved any discrepancies in coding.

Table 3: Bureau of Land Management Field Offices Where GAO Conducted Interviews from August 2015 through January 2016

| Field Office name | State |
|-------------------|------------|
| Fillmore | Utah |
| Humboldt River | Nevada |
| Lander | Wyoming |
| Las Vegas | Nevada |
| Monticello | Utah |
| Mount Lewis | Nevada |
| Rio Puerco | New Mexico |
| Shoshone | Idaho |
| Stillwater | Nevada |
| Surprise | California |
| Taos | New Mexico |
| Upper Snake | Idaho |
| Worland | Wyoming |

Source: GAO. | GAO-16-559

Table 4: U.S. Forest Service Field Offices Where GAO Conducted Interviews from August 2015 through January 2016

| National Forest name | State |
|----------------------|------------|
| Bridger-Teton | Wyoming |
| Cibola | New Mexico |
| Humboldt-Toiyabe | Nevada |
| Lincoln | New Mexico |
| Malheur | Oregon |
| Manti-LaSal | Utah |
| Santa Fe | New Mexico |
| Uinta-Wasatch-Cache | Utah |
| White River | Colorado |

Source: GAO. | GAO-16-559

To examine the agencies' efforts to detect, deter, and resolve unauthorized grazing, we analyzed federal laws to identify agency requirements for addressing such grazing as well as the agencies' regulations, policies, and practices. We qualitatively analyzed information obtained in agency and stakeholder interviews for common themes and patterns to describe how the agencies address unauthorized grazing and the effectiveness of their efforts. We compared the agencies' policies to their practices in the field, compared the policies' objectives with their outcomes, and assessed the internal controls for the policies and practices. We also compared the agencies' policies and practices to our recommendations in our December 1990 report to evaluate whether those recommendations have made or could make improvements in the detection and deterrence of unauthorized grazing.³

We conducted this performance audit from May 2015 to July 2016 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

³GAO, *Rangeland Management: BLM Efforts to Prevent Unauthorized Livestock Grazing Need Strengthening*, [GAO/RCED-91-17](#) (Washington, D.C.: Dec. 7, 1990). This December 1990 report focused solely on BLM; grazing on Forest Service lands was not covered in the report.

Appendix II: Grazing Information for the Bureau of Land Management and U.S. Forest Service

This appendix provides detailed information on grazing permits, leases, fees, and penalties on lands managed by the Bureau of Land Management (BLM), within the Department of the Interior, and the U.S. Forest Service, within the Department of Agriculture. Specifically, the information includes acres available for grazing on lands the agencies manage, the animal unit months (AUM) approved for grazing, and the AUMs billed for BLM and the Forest Service;¹ BLM and Forest Service permits and leases by size; and information on BLM and Forest Service grazing fees for permitted grazing and penalties for unauthorized grazing. The agencies are in two different departments and their grazing programs are covered by different laws and regulations. Therefore, the agencies maintain their own databases and, in some cases, track different data elements. As a result, consistent information was not always available from the two agencies, and in some cases the information provided was from different years depending on what was the most recently available at the time of our request.

Acres and AUMs of Grazing

This section provides an overview of the most recent information available at the time of our review on grazing that occurred on BLM and Forest Service lands. The acres of BLM and Forest Service land available for grazing each year can change, depending on the results of environmental assessments conducted on grazing allotments, and the amount of grazing that is allowed each year can change, depending on annual assessments of forage and range conditions. Both agencies measure the number of acres of their lands available for grazing by allotment each year, but the two agencies use different terms to measure the amount of grazing. BLM calls this amount active or authorized, and the Forest Service calls this amount permitted. Similarly, BLM refers to the amount of grazing that it bills for annually—which can vary from the amount it authorizes because of range or climate conditions—as billed, and the Forest Service refers to this amount of grazing as authorized.

¹Treated as equivalent measures for fee purposes, BLM's AUM and the Forest Service's head month refer to the amount of forage necessary for the sustenance of one cow or its equivalent for a period of one month. We use AUM in this appendix to refer to both AUM and head month. For grazing fee purposes, BLM defines an AUM as a month's use and occupancy of range by 1 cow, bull, steer, heifer, horse, burro, mule, 5 sheep, or 5 goats, over the age of 6 months at the time of entering the public lands or other lands administered by the BLM; by any such weaned animals regardless of age; and by such animals that will become 12 months of age during the authorized period of use.

Appendix II: Grazing Information for the
Bureau of Land Management and U.S. Forest
Service

We use “AUMs approved” to refer to the amounts of grazing authorized by BLM and permitted by the Forest Service and “AUMs billed” to refer to the amount of grazing for which BLM billed ranchers and the amount of grazing authorized each year on Forest Service lands. Table 5 shows the acres and AUMs approved as of January 2016 and AUMs grazed for BLM’s field offices in fiscal year 2014, the most recent year available.

Table 5: Bureau of Land Management (BLM) Data on Acres and Animal Unit Months (AUM) by Field Office as of January 2016 and AUMs Billed for Fiscal Year 2014

| State | Acres | AUMs approved | AUMs billed |
|---|-------------------|----------------|----------------|
| Arizona | | | |
| Agua Fria National Monument | 79,553 | 13,492 | 5,950 |
| Arizona Strip | 1,780,689 | 118,756 | 79,528 |
| Grand Canyon/Parashant National Monument | 722,473 | 35,600 | 21,302 |
| Hassayampa | 957,484 | 68,074 | 54,072 |
| Ironwood Forest National Monument | 135,278 | 8,049 | 6,449 |
| Kingman | 2,715,596 | 120,660 | 119,205 |
| Las Cienegas National Conservation Area | 44,474 | 10,212 | 19,795 |
| Lower Sonoran | 779,431 | 15,513 | 7,073 |
| Safford Field | 1,373,882 | 133,913 | 80,363 |
| San Pedro Riparian National Conservation Area | 14,993 | 1,536 | 1,540 |
| Sonoran Desert National Monument | 472,817 | 17,785 | 4,546 |
| Tucson | 425,410 | 37,465 | 34,530 |
| Vermilion Cliffs National Monument | 233,305 | 25,774 | 5,831 |
| Yuma | 965,352 | 27,353 | 10,024 |
| Subtotal | 10,700,737 | 634,182 | 450,208 |
| California | | | |
| Alturas | 455,535 | 51,801 | 29,056 |
| Arcata | 21,832 | 963 | 1,073 |
| Bakersfield | 307,820 | 30,287 | 20,818 |
| Barstow | 455,651 | 6,053 | 1,108 |
| Bishop | 603,302 | 35,156 | 7,063 |
| Carrizo Plain National Monument | 160,069 | 59,865 | 0 |
| Eagle Lake | 996,323 | 52,991 | 25,916 |
| Hollister | 178,069 | 24,650 | 15,274 |
| King Range National Conservation Area | 11,110 | 2,030 | 605 |
| Mother Lode | 43,821 | 3,645 | 2,883 |
| Needles | 560,576 | 7,737 | 3,746 |

**Appendix II: Grazing Information for the
Bureau of Land Management and U.S. Forest
Service**

| State | Acres | AUMs approved | AUMs billed |
|--|-------------------|----------------------|--------------------|
| Palm Springs-South Coast | 83,851 | 2,542 | 0 |
| Redding | 24,331 | 4,015 | 3,818 |
| Ridgecrest | 1,192,904 | 12,260 | 4,421 |
| Surprise | 1,450,332 | 84,710 | 54,317 |
| Ukiah | 10,960 | 1,528 | 1,788 |
| Subtotal | 6,556,486 | 380,233 | 171,886 |
| Colorado | | | |
| Canyon Ancients National Monument | 158,051 | 6,739 | 4,110 |
| Colorado River Valley | 506,024 | 43,224 | 28,553 |
| Dominguez-Escalante National Conservation Area | 198,349 | 12,684 | 5,255 |
| Grand Junction | 1,037,874 | 64,791 | 31,474 |
| Gunnison | 517,175 | 34,571 | 17,616 |
| Gunnison Gorge National Conservation Area | 88,064 | 6,117 | 1,315 |
| Kremmling | 337,162 | 34,822 | 30,324 |
| Little Snake | 1,323,289 | 142,312 | 74,395 |
| McInnis Canyons National Conservation Area | 69,585 | 2,192 | 128 |
| Royal Gorge | 608,052 | 35,163 | 19,494 |
| San Luis Valley | 456,357 | 29,184 | 11,009 |
| Tres Rios | 416,128 | 20,672 | 17,944 |
| Uncompahgre | 651,417 | 35,972 | 18,088 |
| White River | 1,460,013 | 118,299 | 61,978 |
| Subtotal | 7,827,540 | 586,742 | 321,683 |
| Idaho | | | |
| Birds of Prey National Conservation Area | 584,696 | 46,828 | 26,190 |
| Bruneau | 1,400,837 | 127,233 | 69,108 |
| Burley | 862,278 | 141,872 | 100,429 |
| Challis | 737,886 | 58,098 | 31,859 |
| Cottonwood | 93,236 | 5,268 | 3,905 |
| Craters of the Moon National Monument | 111,101 | 14,956 | 3,675 |
| Four Rivers | 737,656 | 106,048 | 73,831 |
| Jarbidge | 1,635,041 | 184,000 | 140,907 |
| Owyhee | 1,239,234 | 105,705 | 94,875 |
| Pocatello | 574,541 | 84,948 | 69,483 |
| Salmon | 492,410 | 62,610 | 44,755 |
| Shoshone | 1,440,777 | 182,188 | 92,726 |
| Upper Snake River | 1,594,266 | 206,306 | 130,469 |
| Subtotal | 11,503,959 | 1,326,060 | 882,212 |

**Appendix II: Grazing Information for the
Bureau of Land Management and U.S. Forest
Service**

| State | Acres | AUMs approved | AUMs billed |
|--|-------------------|----------------------|--------------------|
| Montana | | | |
| Billings | 403,179 | 54,419 | 46,871 |
| Butte | 264,905 | 23,343 | 19,270 |
| Dillon | 835,039 | 101,902 | 68,105 |
| Glasgow | 1,012,713 | 144,830 | 142,529 |
| Havre | 646,536 | 94,072 | 79,738 |
| Lewistown | 830,505 | 124,665 | 115,529 |
| Malta | 1,020,225 | 169,361 | 157,316 |
| Miles City | 2,891,140 | 550,778 | 520,310 |
| Missoula | 99,327 | 5,500 | 4,719 |
| North Dakota | 52,263 | 9,270 | 7,303 |
| South Dakota | 273,664 | 73,762 | 70,067 |
| Subtotal | 8,329,496 | 1,351,902 | 1,231,757 |
| Nevada | | | |
| Black Rock | 1,863,296 | 56,159 | 42,132 |
| Caliente | 3,957,689 | 147,477 | 53,933 |
| Egan | 3,627,448 | 143,832 | 62,776 |
| Humboldt River | 7,411,067 | 279,276 | 154,848 |
| Las Vegas | 192,824 | 0 | 649 |
| Mount Lewis | 4,323,051 | 244,790 | 121,258 |
| Schell | 3,522,686 | 223,067 | 87,868 |
| Sierra Front | 1,138,540 | 55,760 | 15,268 |
| Stillwater | 3,903,234 | 103,269 | 39,058 |
| Tonopah | 6,026,508 | 134,092 | 68,155 |
| Tuscarora | 2,974,584 | 370,574 | 243,668 |
| Wells | 4,194,182 | 320,527 | 170,712 |
| Subtotal | 43,135,109 | 2,078,823 | 1,060,325 |
| New Mexico | | | |
| Carlsbad | 1,996,948 | 375,688 | 285,216 |
| Farmington | 1,371,751 | 121,757 | 82,615 |
| Fort Stanton Snowy River Cave National Conservation Area | 80 | 15 | 24 |
| Las Cruces | 4,028,279 | 554,220 | 403,910 |
| Organ Mountains Desert Peaks National Monument | 903,664 | 86,271 | 56,417 |
| Prehistoric Trackways National Monument | 19,292 | 1,457 | 884 |
| Rio Puerco | 950,758 | 127,520 | 85,759 |
| Roswell | 1,428,688 | 310,903 | 231,063 |

**Appendix II: Grazing Information for the
Bureau of Land Management and U.S. Forest
Service**

| State | Acres | AUMs approved | AUMs billed |
|--|-------------------|----------------------|--------------------|
| Socorro | 1,491,206 | 230,287 | 171,803 |
| Taos | 519,358 | 42,570 | 21,119 |
| Subtotal | 12,710,024 | 1,850,688 | 1,338,810 |
| Oregon | | | |
| Andrews Resource Area | 1,154,850 | 66,237 | 37,569 |
| Ashland Resource Area | 195,874 | 5,043 | 4,180 |
| Baker | 395,564 | 46,965 | 40,997 |
| Border Resource Area | 124,415 | 12,452 | 10,811 |
| Butte Falls Resource Area | 136,408 | 5,062 | 1,480 |
| Central Oregon Resource Area | 884,499 | 62,624 | 39,411 |
| Coos Bay | 541 | 49 | 0 |
| Deschutes Resource Area | 696,364 | 52,629 | 33,752 |
| Jordan | 2,537,453 | 187,049 | 127,513 |
| Klamath Falls Resource Area | 208,878 | 12,762 | 9,656 |
| Lakeview Resource Area | 2,931,263 | 164,311 | 100,636 |
| Malheur Resource Area | 2,081,454 | 233,223 | 209,744 |
| Roseburg | 11,879 | 0 | 0 |
| Steens Mountain Cooperative Management and Protection Area | 442,872 | 29,682 | 21,375 |
| Three Rivers Resource Area | 1,679,931 | 152,101 | 123,915 |
| Wenatchee Resource Area | 198,064 | 20,374 | 18,096 |
| Subtotal | 13,680,309 | 1,050,563 | 779,135 |
| Utah | | | |
| Cedar City | 2,079,317 | 140,227 | 93,080 |
| Fillmore | 4,315,435 | 262,250 | 177,505 |
| Grand Stairway-Escalante National Monument | 1,807,456 | 76,551 | 46,171 |
| Kanab | 435,168 | 18,932 | 10,449 |
| Moab | 1,808,949 | 90,331 | 46,856 |
| Monticello | 2,012,867 | 74,438 | 51,160 |
| Price | 2,218,572 | 100,346 | 58,871 |
| Richfield | 2,250,671 | 101,518 | 83,568 |
| Salt Lake | 2,374,663 | 180,986 | 123,232 |
| St. George | 566,127 | 27,826 | 20,219 |
| Vernal | 1,704,141 | 129,448 | 77,078 |
| Subtotal | 21,573,366 | 1,202,853 | 788,189 |
| Wyoming | | | |
| Buffalo | 798,328 | 104,059 | 107,773 |

**Appendix II: Grazing Information for the
Bureau of Land Management and U.S. Forest
Service**

| State | Acres | AUMs approved | AUMs billed |
|-----------------|--------------------|----------------------|--------------------|
| Casper | 1,313,617 | 185,631 | 169,283 |
| Cody | 1,109,918 | 77,439 | 32,878 |
| Kemmerer | 1,447,232 | 152,228 | 123,512 |
| Lander | 2,349,790 | 254,166 | 161,493 |
| Newcastle | 288,048 | 48,719 | 46,981 |
| Pinedale | 885,129 | 111,041 | 93,004 |
| Rawlins | 3,542,028 | 448,947 | 247,746 |
| Rock Springs | 3,602,134 | 303,268 | 131,703 |
| Worland | 2,055,501 | 221,874 | 147,763 |
| Subtotal | 17,391,725 | 1,907,372 | 1,262,136 |
| Total | 153,408,751 | 12,369,418 | 8,286,341 |

Source: BLM data. | GAO-16-559

Notes: Public acres (BLM land) in allotments available for grazing and permitted active AUMs, as of January 2016. Billed AUMs are for bills due from October 1, 2013, through September 30, 2014. We use “AUMs approved” to refer to the amounts of grazing authorized by BLM and “AUMs billed” to refer to the amount of grazing for which BLM billed ranchers.

Treated as equivalent measures for fee purposes, BLM’s AUM and the Forest Service’s head month refer to the amount of forage necessary for the sustenance of one cow or its equivalent for a period of one month. We use AUM in this appendix to refer to both AUM and head month. For grazing fee purposes, BLM defines an AUM as a month’s use and occupancy of range by 1 cow, bull, steer, heifer, horse, burro, mule, 5 sheep, or 5 goats, over the age of 6 months at the time of entering the public lands or other lands administered by the BLM; by any such weaned animals regardless of age; and by such animals that will become 12 months of age during the authorized period of use.

Table 6 shows the acres of grazing available, approved AUMs, and billed AUMs in grazing year 2015 for Forest Service administrative offices and grasslands. The data on acres include acres in active and vacant allotments but not in allotments that have been closed that are not available for grazing. The data on AUMs include data that the Forest Service calls head months. Unlike BLM, the Forest Service uses two methods to tally the amount of grazing that occurs—AUMs and head months. The agency uses AUM to refer to the amount of forage consumed by different types of livestock, while it uses the term head months to refer to the number of livestock (head) that are grazed and that are subject to billing. We used the Forest Service head month data because they are equivalent to the BLM’s data on billed AUMs, but we used AUM to simplify the comparison with BLM’s grazing data.

Appendix II: Grazing Information for the
Bureau of Land Management and U.S. Forest
Service

Table 6: U.S. Forest Service Data on Acres and Animal Unit Months (AUM), by Forest and Grassland, Grazing Year 2015

| Regions | Acres | AUMs approved | AUMs billed |
|--|-------------------|------------------|------------------|
| Region 1, Northern Region | | | |
| Beaverhead-Deerlodge National Forest | 2,551,472 | 169,030 | 163,438 |
| Bitterroot National Forest | 188,577 | 1,499 | 1,500 |
| Idaho Panhandle National Forests | 139,487 | 2,536 | 2,206 |
| Flathead National Forest | 102,747 | 1,407 | 1,032 |
| Custer Gallatin National Forest | 1,292,085 | 210,727 | 197,326 |
| Helena National Forest | 561,019 | 36,765 | 38,049 |
| Kootenai National Forest | 480,919 | 4,769 | 4,303 |
| Lewis and Clark National Forest | 921,533 | 57,611 | 54,560 |
| Lolo National Forest | 159,993 | 2,069 | 2,069 |
| Nez Perce-Clearwater National Forest | 672,190 | 26,532 | 26,375 |
| Dakota Prairie Grasslands | 1,802,159 | 679,288 | 917,935 |
| Subtotal | 8,872,181 | 1,192,233 | 1,408,793 |
| Region 2, Rocky Mountain Region | | | |
| Bighorn National Forest | 977,074 | 82,473 | 79,079 |
| Black Hills National Forest | 1,276,337 | 111,453 | 109,816 |
| Grand Mesa, Uncompahgre, and Gunnison National Forests | 2,818,480 | 255,528 | 232,636 |
| Medicine Bow-Routt National Forest | 3,638,739 | 329,378 | 251,981 |
| Nebraska National Forest | 1,123,701 | 334,960 | 422,303 |
| Rio Grande National Forest | 1,613,849 | 75,990 | 73,076 |
| Arapaho-Roosevelt National Forest | 773,610 | 56,013 | 102,647 |
| Pike-San Isabel National Forest | 1,977,583 | 139,249 | 139,221 |
| San Juan National Forest | 1,632,333 | 89,987 | 89,745 |
| Shoshone National Forest | 1,164,058 | 42,737 | 43,331 |
| White River National Forest | 1,523,509 | 111,614 | 106,458 |
| Subtotal | 18,519,273 | 1,629,382 | 1,650,293 |
| Region 3, Southwestern Region | | | |
| Apache-Sitgreaves National Forest | 8,052,607 | 129,802 | 120,980 |
| Carson National Forest | 1,348,869 | 93,847 | 86,925 |
| Cibola National Forest | 1,793,238 | 147,990 | 134,348 |
| Coconino National Forest | 1,610,501 | 81,977 | 79,912 |
| Coronado National Forest | 1,596,356 | 256,652 | 251,567 |
| Gila National Forest | 2,978,328 | 231,123 | 211,164 |
| Kaibab National Forest | 1,386,138 | 65,145 | 57,798 |
| Lincoln National Forest | 978,702 | 120,792 | 132,678 |

**Appendix II: Grazing Information for the
Bureau of Land Management and U.S. Forest
Service**

| Regions | Acres | AUMs approved | AUMs billed |
|---|-------------------|----------------------|--------------------|
| Prescott National Forest | 1,354,782 | 146,521 | 127,957 |
| Santa Fe National Forest | 1,492,128 | 78,815 | 76,461 |
| Tonto National Forest | 2,784,970 | 169,095 | 164,877 |
| Subtotal | 25,376,619 | 1,521,759 | 1,444,667 |
| Region 4, Intermountain Region | | | |
| Ashley National Forest | 1,049,888 | 54,993 | 50,708 |
| Boise National Forest | 1,700,996 | 39,066 | 37,399 |
| Bridger-Teton National Forest | 3,712,552 | 117,273 | 110,009 |
| Dixie National Forest | 1,738,683 | 86,186 | 84,689 |
| Fishlake National Forest | 1,448,260 | 155,862 | 152,054 |
| Manti-LaSal National Forest | 1,330,748 | 122,631 | 121,362 |
| Payette National Forest | 1,085,383 | 60,579 | 57,799 |
| Salmon-Challis National Forest | 2,596,054 | 108,251 | 101,540 |
| Sawtooth National Forest | 1,699,128 | 138,219 | 131,700 |
| Caribou-Targhee National Forest | 2,382,927 | 280,938 | 273,173 |
| Humboldt-Toiyabe National Forest | 5,607,269 | 244,621 | 236,951 |
| Uinta-Wasatch-Cache National Forest | 1,535,377 | 161,818 | 161,837 |
| Subtotal | 25,887,265 | 1,570,437 | 1,519,221 |
| Region 5, Pacific Southwest Region | | | |
| Angeles National Forest | 0 | 0 | 0 |
| Cleveland National Forest | 144,215 | 2,419 | 2,418 |
| Eldorado National Forest | 536,927 | 4,738 | 4,059 |
| Inyo National Forest | 971,786 | 17,005 | 17,054 |
| Klamath National Forest | 968,233 | 20,345 | 18,412 |
| Lassen National Forest | 1,195,377 | 19,869 | 14,763 |
| Los Padres National Forest | 854,003 | 9,359 | 9,304 |
| Mendocino National Forest | 568,918 | 5,439 | 5,439 |
| Modoc National Forest | 1,788,200 | 109,588 | 97,691 |
| Six Rivers National Forest | 294,977 | 4,846 | 4,732 |
| Plumas National Forest | 904,698 | 18,037 | 14,707 |
| San Bernardino National Forest | 230,179 | 1,504 | 1,505 |
| Sequoia National Forest | 941,611 | 24,615 | 24,412 |
| Shasta Trinity National Forest | 633,732 | 3,059 | 2,970 |
| Sierra National Forest | 921,905 | 15,676 | 15,659 |
| Stanislaus National Forest | 802,969 | 17,477 | 17,291 |
| Tahoe National Forest | 536,853 | 7,348 | 6,269 |
| Lake Tahoe Basin Management Unit | 33,993 | 0 | 0 |

**Appendix II: Grazing Information for the
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Service**

| Regions | Acres | AUMs approved | AUMs billed |
|--|-------------------|----------------------|--------------------|
| Subtotal | 12,328,576 | 281,324 | 256,685 |
| Region 6, Pacific Northwest Region | | | |
| Deschutes National Forest | 229,888 | 18,388 | 12,538 |
| Fremont-Winema National Forests | 2,022,393 | 85,016 | 85,395 |
| Gifford Pinchot National Forest | 32,988 | 1,366 | 1,366 |
| Malheur National Forest | 1,679,423 | 118,363 | 108,492 |
| Mt Baker-Snoqualmie National Forest | 0 | 0 | 0 |
| Mt Hood National Forest | 172,087 | 1,515 | 1,515 |
| Ochoco National Forest | 667,468 | 56,932 | 51,914 |
| Olympic National Forest | 0 | 0 | 0 |
| Rogue River-Siskiyou National Forest | 577,953 | 12,234 | 10,826 |
| Siuslaw National Forest | 0 | 0 | 0 |
| Umatilla National Forest | 859,814 | 47,592 | 43,901 |
| Umpqua National Forest | 130,813 | 1,110 | 1,107 |
| Wallowa Whitman National Forest | 1,599,135 | 120,381 | 112,169 |
| Okanogan-Wenatchee National Forests | 1,590,538 | 46,689 | 45,198 |
| Willamette National Forest | 0 | 0 | 0 |
| Colville National Forest | 896,133 | 28,709 | 26,564 |
| Columbia River Gorge National Scenic Area | 5,000 | 118 | 117 |
| Subtotal | 10,463,633 | 538,413 | 501,102 |
| Region 8, Southern Region | | | |
| National Forests in Alabama | 0 | 0 | 0 |
| Daniel Boone National Forest | 0 | 0 | 0 |
| Chattahoochee-Oconee National Forest | 1,811 | 1,768 | 0 |
| Cherokee National Forest | 254 | 0 | 0 |
| National Forests in Florida | 5,000 | 792 | 0 |
| Kisatchie National Forest | 24,153 | 271 | 232 |
| National Forests in Mississippi | 200 | 37 | 37 |
| George Washington And Jefferson National Forests | 8,223 | 5,859 | 3,011 |
| Ouachita National Forest | 114,612 | 3,435 | 1,064 |
| Ozark-St. Francis National Forest | 118,344 | 4,111 | 3,226 |
| National Forests in North Carolina | 0 | 0 | 0 |
| Francis Marion-Sumter National Forests | 0 | 0 | 0 |
| National Forests in Texas | 37,395 | 5,805 | 7,044 |
| Subtotal | 309,992 | 22,078 | 14,614 |
| Region 9, Eastern Region | | | |
| Chippewa National Forest | 75 | 221 | 0 |

**Appendix II: Grazing Information for the
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| Regions | Acres | AUMs approved | AUMs billed |
|--|--------------------|----------------------|--------------------|
| Huron Manistee National Forest | 0 | 0 | 0 |
| Mark Twain National Forest | 19,544 | 15,601 | 2,375 |
| Ottawa National Forest | 0 | 0 | 0 |
| Shawnee National Forest | 1,489 | 0 | 0 |
| Superior National Forest | 0 | 0 | 0 |
| Hiawatha National Forest | 0 | 0 | 0 |
| Hoosier National Forest | 0 | 0 | 0 |
| Chequamegon-Nicolet National Forest | 0 | 0 | 0 |
| Wayne National Forest | 960 | 0 | 0 |
| Midewin National Tallgrass Prairie | 4,683 | 10,202 | 8,833 |
| Allegheny National Forest | 0 | 0 | 0 |
| Green Mountain and Finger Lakes National Forests | 5,053 | 12,603 | 0 |
| Monongahela National Forest | 6,086 | 5,654 | 730 |
| White Mountain National Forest | 0 | 0 | 0 |
| Subtotal | 37,890 | 44,281 | 11,938 |
| Total | 101,795,429 | 6,799,907 | 6,807,313 |

Source: U.S. Forest Service data. | GAO-16-559

Notes: The Forest Service has no Region 7.

The Forest Service charges the grazing fee rate by head month, which is an equivalent measure to AUM for fee purposes—the amount of forage one cow and her calf, one horse, or five sheep eat in a month.

We use “AUMs approved” to refer to the amounts of grazing permitted by the Forest Service and “AUMs billed” to refer to the amount of grazing authorized each year on Forest Service lands.

Permits and Leases by Size

Because the number of AUMs per permit or lease can vary greatly, the number of AUMs controlled by permittees or lessees also varies greatly. Tables 7 through 9 show the number of BLM and Forest Service permits and leases, and AUMs, by permit size. Multiple permits or leases may be contained on a single allotment, just as one permit or lease may span multiple allotments. In addition, several ranchers may share one permit or lease, just as one rancher may possess multiple permits or leases; therefore, the number of permits and leases does not necessarily correlate to the total number of ranchers. Table 7 shows the size of BLM

permits and leases, using approved AUMs as of December 2015. The data do not include permits and leases with less than two AUMs.²

Table 7: Number of Bureau of Land Management Grazing Permits and Leases by Size, as of December 2015

| Size of permit or lease in animal unit months (AUM) | Number of permits and leases | Total approved AUMs |
|---|------------------------------|---------------------|
| 2 to 10 | 1,216 | 8,326 |
| 11 to 100 | 6,011 | 267,857 |
| 101 to 500 | 5,574 | 1,372,933 |
| 501 to 1,000 | 1,920 | 1,362,542 |
| 1,001 to 5,000 | 2,512 | 5,244,949 |
| 5,001 to 10,000 | 279 | 1,879,153 |
| Over 10,000 | 137 | 2,233,618 |
| Total | 17,649 | 12,369,378 |

Source: Bureau of Land Management data. | GAO-16-559

Notes: 43 C.F.R. § 4100.0-5 defines an AUM as the amount of forage necessary for the sustenance of one cow or its equivalent for a period of 1 month.

We start with two AUMs because we re-created a table from previous reports: *GAO, Rangeland Management: Profile of the Bureau of Land Management's Grazing Allotments and Permits*, [GAO/RCED-92-213FS](#) (Washington, D.C.: June 10, 1992), and *Livestock Grazing: Federal Expenditures and Receipts and Vary, Depending on the Agency and the Purpose of the Fee Charged*, [GAO-05-869](#) (Washington, D.C.: Sept. 30, 2005).

Table 8 shows Forest Service permits for cattle for regions with lands in western states (regions 1 through 6). The data do not include horses or other livestock and do not include permits with fewer than two AUMs of grazing for cattle.

²The agencies re-created tables that we produced in a previous report: *GAO, Livestock Grazing: Federal Expenditures and Receipts and Vary, Depending on the Agency and the Purpose of the Fee Charged*, [GAO-05-869](#) (Washington, D.C.: Sept. 30, 2005). The tables in the September 2005 report were also re-created versions of tables used in two older previous reports: *GAO, Rangeland Management: Profile of the Bureau of Land Management's Grazing Allotments and Permits*, [GAO/RCED-92-213FS](#) (Washington, D.C.: June 10, 1992), and *Rangeland Management: Profile of the Forest Service's Grazing Allotments and Permittees*, [GAO/RCED-93-141FS](#) (Washington, D.C.: Apr. 28, 1993).

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Table 8: Number of U.S. Forest Service Cattle Permits by Size, Grazing Year 2015

| Size of permits in animal unit months (AUM) | Number of permits | Total approved AUMs |
|---|-------------------|---------------------|
| 2 to 10 | 17 | 99 |
| 11 to 100 | 586 | 34,684 |
| 101 to 500 | 2,123 | 579,308 |
| 501 to 1,000 | 1,206 | 866,929 |
| 1,001 to 5,000 | 1,700 | 3,477,745 |
| 5,001 to 10,000 | 177 | 1,195,694 |
| Over 10,000 | 51 | 1,840,639 |
| Total | 5,860 | 7,995,098 |

Source: U.S. Forest Service data. | GAO-16-559

Notes: The Forest Service charges the grazing fee rate by head months, an equivalent measure to AUMs for fee purposes—the amount of forage one cow and her calf, one horse, or five sheep eat in a month.

We start with two AUMs because we re-created a table from previous reports: GAO, *Rangeland Management: Profile of the Forest Service's Grazing Allotments and Permittees*, [GAO/RCED-93-141FS](#) (Washington, D.C.: Apr. 28, 1993), and *Livestock Grazing: Federal Expenditures and Receipts and Vary, Depending on the Agency and the Purpose of the Fee Charged*, [GAO-05-869](#) (Washington, D.C.: Sept. 30, 2005).

Forest Service sheep permits are shown in table 9. For the purposes of conversion, five sheep equal one AUM. In addition to the sheep, an insignificant number of horses are included in the data because, in some cases, permittees may keep a horse for herding the sheep.

Table 9: Number of U.S. Forest Service Sheep Permits by Size, Grazing Year 2015

| Size of permits in animal unit months (AUM) | Number of permits | Total approved AUMs |
|---|-------------------|---------------------|
| 50 to 500 | 63 | 18,067 |
| 501 to 1,500 | 131 | 131,512 |
| 1,501 to 5,000 | 131 | 346,036 |
| 5,001 to 15,000 | 24 | 181,022 |
| 15,001 to 25,000 | 0 | 0 |
| Over 25,000 | 1 | 26,000 |
| Total | 350 | 702,637 |

Source: U.S. Forest Service data. | GAO-16-559

Notes: The Forest Service charges the grazing fee rate by head month, an equivalent measure to AUMs for fee purposes—the amount of forage one cow and her calf, one horse, or five sheep eat in a month.

This table does not include permits with less than 50 AUMs. We start at 50 AUM because we re-created a table from a previous report, GAO, *Livestock Grazing: Federal Expenditures and Receipts*

and Vary, Depending on the Agency and the Purpose of the Fee Charged, [GAO-05-869](#) (Washington, D.C.: Sept. 30, 2005).

Calculation of Grazing Fees and Unauthorized Grazing Penalties for BLM's and the Forest Service's Western States

Historically, BLM and Forest Service permitted grazing fees were established to achieve different objectives—to recover administrative expenses or to reflect livestock prices, respectively—but the agencies began using the same approach to setting fees in 1969. Over the years, the agencies, as well as outside entities, have conducted numerous studies attempting to establish a permitted grazing fee that meets the objectives of multiple parties. As of March 2016, the permitted grazing fee for BLM and the Forest Service in 16 western states is based on a formula which incorporates factors that take into account ranchers' ability to pay and was established in 1978 based on studies conducted in the 1960s and 1970s.³

In 2016, the permitted grazing fee for lands managed by BLM and the Forest Service in 16 western states was \$2.11 per AUM—or the amount of forage needed to sustain a cow and her calf for 30 days.⁴ This permitted grazing fee is set annually according to a formula established in the Public Rangelands Improvement Act of 1978 and extended indefinitely by Executive Order 12,548 that has been incorporated into the agencies' regulations.⁵ The formula is as follows:

$$\text{Fee} = \$1.23 \times (\text{FVI} + \text{BCPI} - \text{PPI}) / 100$$

where \$1.23 = the base value, or the difference between the costs of conducting ranching business on private lands, including any grazing fees charged, and public lands, not including grazing fees. The costs were computed in a 1966 study that included 10,000 ranching businesses in the western states.

³The 16 western states are Arizona, California, Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, and Wyoming.

⁴While BLM uses AUM as a unit for purposes of charging fees, the Forest Service uses head month. The two units are calculated the same way. We use AUM in this appendix to refer to both AUM and head month.

⁵Pub. L. No. 95-514, 92 Stat. 1803.

FVI = Forage Value Index, or the weighted average estimate of the annual rental charge per head per month for pasturing cattle on private rangelands in 11 western states (Arizona, California, Colorado, Idaho, Montana, New Mexico, Nevada, Oregon, Utah, Washington, and Wyoming) divided by \$3.65 per head month (the private grazing land lease rate for the base period of 1964-68) and multiplied by 100.

BCPI = Beef Cattle Price Index, or the weighted average annual selling price for beef cattle (excluding calves) in the 11 western states divided by \$22.04 per hundredweight (the beef cattle price per hundred pounds for the base period of 1964-68) and multiplied by 100.

PPI = Prices Paid Index, for selected components from the Department of Agriculture's National Agricultural Statistics Service's Index of Prices Paid by Farmers for Goods and Services, adjusted by different weights (in parentheses) to reflect livestock production costs in the western states [fuels and energy (14.5), farm and motor supplies (12.0), autos and trucks (4.5), tractors and self-propelled machinery (4.5), other machinery (12.0), building and fencing materials (14.5), interest (6.0), farm wage rates (14.0), and farm services (cash rent) (18.0)].

The Public Rangelands Improvement Act of 1978 limited the annual increase or decrease in the resulting fee to 25 percent. It also established the fee formula for a 7-year trial period and required that the effects of the fee be evaluated at the end of that period. Although the permitted grazing fee formula under the act expired in 1986, the use of the fee formula was extended indefinitely by Executive Order 12,548 and incorporated into the agencies' regulations. The executive order requires the Secretaries of the Interior and Agriculture to establish permitted grazing fees according to the act's formula, including the 25 percent limit on increases or decreases in the fee. In addition, the order established that the permitted grazing fee should not be lower than \$1.35 per AUM.

To calculate its penalty for unauthorized grazing, the Forest Service uses the same formula as for the permitted fee but replaces the base value of \$1.23 with a higher base value of \$3.80. In addition, the Forest Service does not apply the 25 percent limit on the annual increase or decrease in the penalty and does not set a lower limit on the penalty as with the permitted fee formula (see table 10). In contrast, BLM bases its penalties for unauthorized on the state by state commercial value of forage. According to the National Agricultural Statistics Service, based on the average private grazing land lease rate per AUM, the state-by-state

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commercial value of forage in western states ranged from \$9 to \$39 in grazing year 2016.

Table 10: U.S. Forest Service’s Formula Results for Permitted Grazing Fees and Unauthorized Grazing Penalties, Grazing Years 2001–2016

| Grazing year | Permitted grazing fees | | U.S. Forest Service penalties for unauthorized grazing | |
|--------------|------------------------|--------|--|---------|
| | Formula result | Fee | Formula result | Penalty |
| 2001 | \$1.08 | \$1.35 | \$3.34 | \$3.34 |
| 2002 | 1.43 | 1.43 | 4.41 | 4.41 |
| 2003 | 1.23 | 1.35 | 3.80 | 3.80 |
| 2004 | 1.43 | 1.43 | 4.41 | 4.41 |
| 2005 | 1.98 | 1.79 | 6.12 | 6.12 |
| 2006 | 1.56 | 1.56 | 4.83 | 4.83 |
| 2007 | 1.33 | 1.35 | 4.10 | 4.10 |
| 2008 | 0.73 | 1.35 | 2.24 | 2.24 |
| 2009 | (0.65) | 1.35 | (2.01) | 2.24 |
| 2010 | (0.22) | 1.35 | (0.68) | 2.24 |
| 2011 | (0.33) | 1.35 | (1.03) | 2.24 |
| 2012 | 0.28 | 1.35 | 0.87 | 2.24 |
| 2013 | 0.81 | 1.35 | 2.51 | 2.51 |
| 2014 | 0.75 | 1.35 | 2.31 | 2.31 |
| 2015 | 2.10 | 1.69 | 6.48 | 2.89 |
| 2016 | 3.46 | 2.11 | 10.68 | 10.68 |

Source: GAO analysis and U.S. Forest Service data. | GAO-16-559

Note: The Forest Service’s formula for calculating its penalty for unauthorized grazing does not include a lower limit or a limit on the increase or decrease. In grazing year 2008, the penalty fell to \$2.24 and would have fallen into negative numbers under the formula in subsequent years. To address this situation, the Forest Service decided to hold the penalty at \$2.24 from 2009 to 2012 until the formula produced a higher penalty in 2013: \$2.51. In 2015, the Forest Service erroneously applied a limit of 25 percent on the increase of the penalty; the penalty with the limit was \$2.89, while the penalty without an increase limit under the formula would have been \$6.48. The agency did not apply a limit on the increase in 2016 to calculate a penalty of \$10.68.

Appendix III: Detailed Information on the Extent and Frequency of Unauthorized Grazing

This appendix provides detailed information on the extent and frequency of unauthorized grazing incidents and charges recorded in the Bureau of Land Management's (BLM) and the U.S. Forest Service's range management and law enforcement databases, for grazing years 2010 through 2014.¹ BLM, within the Department of the Interior, and the U.S. Forest Service, within the Department of Agriculture, are in two different departments and their grazing programs are covered by different laws and regulations. Therefore, the agencies maintain their own databases and, in some cases, track different data elements. As a result, consistent information was not always available from the two agencies.

BLM Range Program Data

BLM's range management database contained records of 433 unauthorized grazing incidents that occurred in grazing years 2010 through 2014 and were settled and billed by December 28, 2015 (the date the data were queried) (see table 11). Incidents not billed by December 28, 2015, are not included, nor are incidents that were resolved nonmonetarily. The number of incidents ranged from 76 in Idaho to 5 in Arizona.

Table 11: Bureau of Land Management Range Program Unauthorized Grazing Incidents by State Office, Grazing Years 2010–2014

| State office | Incidents |
|-----------------|------------|
| Arizona | 5 |
| California | 29 |
| Colorado | 38 |
| Idaho | 76 |
| Montana/Dakotas | 29 |
| New Mexico | 65 |
| Nevada | 44 |
| Oregon | 48 |
| Utah | 52 |
| Wyoming | 47 |
| Total | 433 |

Source: Bureau of Land Management data. | GAO-16-559

¹A grazing year for billing purposes is March 1 to February 28. For example, grazing year 2014 was from March 1, 2014, to February 28, 2015.

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Extent and Frequency of Unauthorized Grazing**

Notes: The unauthorized grazing incidents occurred in grazing years 2010 through 2014 and were settled and billed by December 28, 2015. Incidents not billed by December 28, 2015, are not included, nor are incidents that were resolved nonmonetarily.

The administrative state is not the same as the geographic state; the administrative state can cross geographic state lines. The Montana/Dakotas State Office covers Montana, North Dakota, and South Dakota. The New Mexico State Office covers New Mexico, Kansas, Oklahoma, and Texas. The Oregon State Office covers Oregon and Washington. The Wyoming State Office covers Wyoming and Nebraska.

The grazing year used for billing grazing fees is March 1 to February 28.

The bills identified for the 433 incidents in BLM’s range management database included 466 charges for different types of unauthorized grazing; non-willful (unintentional), willful (intentional), and repeated willful, each of which is charged at a different rate (see table 12). The total charges (466) exceeds the total number of incidents settled and billed (433) because each bill can include charges for more than one type of unauthorized grazing and for more than 1 grazing year. Non-willful unauthorized grazing was the most common type in grazing years 2010 through 2014, accounting for 299—or 64 percent—of the charges recorded; willful unauthorized grazing was 31 percent of the total, and repeated willful was 5 percent.

Table 12: Bureau of Land Management Range Program Unauthorized Grazing Charges by Type and Grazing Year, 2010–2014

| Unauthorized grazing type | Grazing year | | | | | Total | Percentage of total |
|---------------------------|--------------|-----------|------------|------------|-----------|------------|---------------------|
| | 2010 | 2011 | 2012 | 2013 | 2014 | | |
| Non-willful | 56 | 52 | 74 | 81 | 36 | 299 | 64% |
| Willful | 30 | 20 | 28 | 42 | 24 | 144 | 31% |
| Repeated willful | 3 | 3 | 6 | 8 | 3 | 23 | 5% |
| Total | 89 | 75 | 108 | 131 | 63 | 466 | 100% |

Source: GAO analysis of Bureau of Land Management data. | GAO-16-559

Notes: A single bill for unauthorized grazing may include charges for multiple types of unauthorized grazing. For example, a bill may include charges for non-willful (unintentional) unauthorized grazing and for willful or repeated willful (intentional) unauthorized grazing, each of which is charged at a different rate. Therefore, in this table the total number of charges (466) exceeds the total number of bills issued (433). For the purpose of this report, we used the number of bills to represent the number of unauthorized grazing incidents.

The unauthorized grazing bills reflect incidents that occurred in grazing years 2010 through 2014 and were settled and billed by December 28, 2015. Additional incidents not billed by December 28, 2015, are not included.

The grazing year used for billing grazing fees is March 1 to February 28.

BLM's unauthorized grazing bills included charges for unauthorized grazing penalties; administrative charges for costs of the agency's response; and other charges, fees, and interest. As of March 1, 2015, BLM had billed about \$441,000 for unauthorized grazing charges in grazing years 2010 through 2014 (see table 13). BLM had collected about \$426,000 of the amount; after adjustments, about \$8,000 of the charges remained due.

Table 13: Status of the Bureau of Land Management Range Program's Unauthorized Grazing Bill Charges Issued for Grazing Years 2010–2014

| Type of charge | Billed amount | Amount collected | Adjustments | Balance due |
|--------------------------------|---------------------|---------------------|---------------------|-------------------|
| Unauthorized grazing penalties | \$325,850.64 | \$319,977.98 | (\$1,408.06) | \$4,464.60 |
| Administrative charges | 108,433.71 | 102,500.02 | (2,491.43) | \$3,442.26 |
| Service fees | 770.00 | 729.30 | (40.70) | \$0.00 |
| Handling charges | 345.00 | 210.00 | (105.00) | \$30.00 |
| Interest charges | 160.37 | 96.44 | (47.61) | \$16.32 |
| Late fees | 4,729.93 | 1,740.43 | (2,700.70) | \$288.80 |
| Penalty charges | 922.14 | 538.55 | (285.65) | \$97.94 |
| Total | \$441,211.79 | \$425,792.72 | (\$7,079.15) | \$8,339.92 |

Source: GAO analysis of Bureau of Land Management data. | GAO-16-559

Notes: Data are accurate as of March 1, 2016, when the data were queried from the Bureau of Land Management's Collection and Billing System database. The data reflect charges with a bill date in grazing years 2010 through 2014 and therefore do not correspond directly to incidents that occurred during this period.

BLM's unauthorized grazing bills included charges for unauthorized grazing penalties; administrative charges for costs of the agency's response; and other charges, fees, and interest.

The grazing year used for billing grazing fees is March 1 to February 28.

BLM's range management database contained records of nearly 53,000 grazing compliance inspections performed by agency field staff during grazing years 2010 through 2014 (see table 14). Of the nearly 53,000 inspections, about 1,500—or 3 percent—identified possible noncompliance. Possible noncompliance means noncompliance was suspected but not yet confirmed by the individual completing the compliance inspection and was identified for further investigation. Therefore some inspections recorded as a finding of possible noncompliance, upon further investigation, may not have resulted in a finding of a violation.

Table 14: Bureau of Land Management Range Program Compliance Inspections by State Office and Outcome, Grazing Years 2010–2014

| State office | Outcome of compliance inspection | | Total | Percentage with possible noncompliance identified |
|-----------------|----------------------------------|-----------------------------------|---------------|---|
| | No noncompliance identified | Possible noncompliance identified | | |
| Arizona | 1,307 | 48 | 1,355 | 4% |
| California | 1,936 | 184 | 2,120 | 9% |
| Colorado | 3,974 | 143 | 4,117 | 3% |
| Idaho | 22,106 | 144 | 22,250 | 1% |
| Montana/Dakotas | 5,213 | 159 | 5,372 | 3% |
| New Mexico | 1,936 | 65 | 2,001 | 3% |
| Nevada | 3,319 | 229 | 3,548 | 6% |
| Oregon | 2,666 | 194 | 2,860 | 7% |
| Utah | 3,349 | 162 | 3,511 | 5% |
| Wyoming | 5,524 | 190 | 5,714 | 3% |
| Total | 51,330 | 1,518 | 52,848 | 3% |

Source: GAO analysis of Bureau of Land Management compliance inspection data. | GAO-16-559

Note: Possible noncompliance means noncompliance was suspected but not confirmed and identified for further investigation by the individual completing the grazing compliance inspection. Therefore, some inspections recorded as a finding of possible noncompliance, upon further investigation, may not have resulted in a finding of a violation.

BLM Law Enforcement Data

BLM's law enforcement database contained records of 426 incidents where formal documentation, such as an incident report (record of observation), warning notice, or violation notice, was prepared by a law enforcement officer and entered into the database in grazing years 2010 through 2014 (see table 15). The number of incidents ranges from 71 in Wyoming to 17 in Arizona and Utah. From grazing years 2010 through 2014, the year with the most incidents recorded in the law enforcement database was 2013; 123 incidents were recorded, or nearly 30 percent of the 426 total incidents. According to agency officials, some of the data may include incidents that were miscoded as grazing related when entered into the law enforcement database, and a small proportion of the incidents include violations of grazing permits other than unauthorized grazing, such as supplementing the existing forage with additional livestock feed.

Table 15: Bureau of Land Management Law Enforcement Unauthorized Grazing Incidents by State Office and Grazing Year, 2010–2014

| State office | 2010 | 2011 | 2012 | 2013 | 2014 | Total |
|-----------------|------------|-----------|-----------|------------|-----------|------------|
| Arizona | 1 | 5 | 3 | 5 | 3 | 17 |
| California | 13 | 7 | 8 | 27 | 5 | 60 |
| Colorado | 6 | 14 | 12 | 16 | 8 | 56 |
| Idaho | 5 | 5 | 6 | 14 | 7 | 37 |
| Montana/Dakotas | 8 | 2 | 7 | 10 | 8 | 35 |
| New Mexico | 9 | 4 | 7 | 13 | 24 | 57 |
| Nevada | 37 | 1 | 3 | 5 | 2 | 48 |
| Oregon | 8 | 5 | 5 | 4 | 6 | 28 |
| Utah | 1 | 4 | 5 | 6 | 1 | 17 |
| Wyoming | 15 | 14 | 15 | 23 | 4 | 71 |
| Total | 103 | 61 | 71 | 123 | 68 | 426 |

Source: Bureau of Land Management data. | GAO-16-559

Notes: According to agency officials, some of the data may include incidents that were miscoded as grazing related when entered into the law enforcement database.

Some incidents include violations of grazing permits other than unauthorized grazing, such as supplementing the existing forage with additional livestock feed.

The grazing year used for billing grazing fees is March 1 to February 28.

Forest Service Range Program Data

The Forest Service’s range management database contained records of 190 unauthorized grazing incidents in grazing years 2010 through 2014 (see table 16). The number of incidents is based on the number of bills issued and also includes some unauthorized grazing incidents confirmed by Forest Service field offices as having occurred where no bill was issued. Additional incidents may have occurred that were not billed and were not entered in the Forest Service database. The number of incidents ranged from 65 in the Southwestern Region to 2 in the Southern Region.

Table 16: U.S. Forest Service Range Program Unauthorized Grazing Incidents by Region, Grazing Years 2010–2014

| Forest Service region | Incidents |
|-----------------------|-----------|
| Northern | 19 |
| Rocky Mountain | 47 |
| Southwestern | 65 |
| Intermountain | 36 |
| Pacific Southwest | 8 |
| Pacific Northwest | 9 |

**Appendix III: Detailed Information on the
Extent and Frequency of Unauthorized Grazing**

| Forest Service region | Incidents |
|------------------------------|------------------|
| Southern | 2 |
| Eastern | 4 |
| Total | 190 |

Source: GAO analysis of U.S. Forest Service data. | GAO-16-559

Notes: The number of incidents is based on the number of bills issued by the Forest Service for unauthorized grazing and incidents confirmed by Forest Service field offices as incidents in which bills were not issued. Additional incidents may have occurred that were not billed and therefore were not entered in the Forest Service database.

The grazing year used for billing grazing fees is March 1 to February 28.

The 190 incidents identified primarily by bills in the Forest Service’s range management database included charges for different types of unauthorized grazing incidents, excess use (by a permittee), and unauthorized use (by a nonpermittee) (see table 17).² Excess use by permittees was the most common incident type in grazing years 2010 through 2014, accounting for 173—or 91 percent—of the incidents recorded; unauthorized use was 9 percent of the total.

Table 17: U.S. Forest Service Range Program Unauthorized Grazing Incidents by Type and Grazing Year, 2010–2014

| Unauthorized grazing type | Grazing year | | | | | Total | Percentage |
|----------------------------------|---------------------|-------------|-------------|-------------|-------------|--------------|-------------------|
| | 2010 | 2011 | 2012 | 2013 | 2014 | | |
| Excess use | 49 | 22 | 47 | 36 | 19 | 173 | 91% |
| Unauthorized use | 6 | 1 | 5 | 3 | 2 | 17 | 9% |
| Total | 55 | 23 | 52 | 39 | 21 | 190 | 100% |

Source: GAO analysis of U.S. Forest Service data. | GAO-16-559

Notes: The number of incidents is based on the number of bills issued by the Forest Service for excess use and unauthorized use, and excess and unauthorized incidents confirmed by Forest Service field offices as those where bills were not issued. Additional incidents may have occurred that were not billed and therefore were not entered in the Forest Service database.

The Forest Service refers to violations by permittees as excess use and by nonpermittees as unauthorized use.

The grazing year used for billing grazing fees is March 1 to February 28.

The Forest Service’s unauthorized grazing bills included charges for excess use and unauthorized use. The Forest Service collected a total of about \$24,000 from these charges in grazing years 2010 through 2014;

²For the purpose of this report, we generally refer to all types of incidents as unauthorized.

nearly \$18,000 from excess use by permittees, and about \$6,000 from unauthorized use by nonpermittees (see table 18). The amount collected includes credits used by livestock owners to pay excess or unauthorized use charges.

Table 18: Amount Collected from the U.S. Forest Service’s Range Program Unauthorized Grazing Charges, by Type, Grazing Years 2010–2014

| Unauthorized grazing type | Amount collected |
|---------------------------|--------------------|
| Excess use | \$17,809.79 |
| Unauthorized use | 6,147.34 |
| Total | \$23,957.13 |

Source: GAO analysis of U.S. Forest Service data. | GAO-16-559

Notes: The data include amounts collected from excess use and unauthorized use grazing bills and incidents in which livestock owners used existing credit toward excess or unauthorized use charges. The Forest Service refers to violations by permittees as excess use and by nonpermittees as unauthorized use.

The grazing year used for billing grazing fees is March 1 to February 28.

Forest Service Law Enforcement Data

The Forest Service’s law enforcement database contained records of 428 incidents where formal documentation, such as an incident report (record of observation), warning notice, or violation notice, was prepared by a law enforcement officer and entered into the database in grazing years 2010 through 2014 (see table 19). The number of incidents ranges from 102 in the Intermountain Region to 24 in the Pacific Northwest and Eastern Regions.

Table 19: U.S. Forest Service Law Enforcement Grazing Incidents by Region, Grazing Years 2010–2014

| Forest Service region | Incidents |
|-----------------------|------------|
| Northern | 73 |
| Rocky Mountain | 73 |
| Southwestern | 45 |
| Intermountain | 102 |
| Pacific Southwest | 30 |
| Pacific Northwest | 24 |
| Southern | 57 |
| Eastern | 24 |
| Total | 428 |

Source: U.S. Forest Service data. | GAO-16-559

Note: The grazing year used for billing grazing fees is March 1 to February 28.

**Appendix III: Detailed Information on the
Extent and Frequency of Unauthorized Grazing**

From grazing years 2010 through 2014, the year with the most unauthorized grazing incidents recorded in the Forest Service's law enforcement database was 2013; 100 incidents were recorded, or about 23 percent of the 428 total incidents (see table 20).

Table 20: U.S. Forest Service Law Enforcement Unauthorized Grazing Incidents by Type and Grazing Year, 2010–2014

| Type of record | Grazing year | | | | | Total | Percentage of total |
|------------------|--------------|-----------|-----------|------------|-----------|------------|---------------------|
| | 2010 | 2011 | 2012 | 2013 | 2014 | | |
| Incident report | 39 | 26 | 45 | 49 | 31 | 190 | 44% |
| Warning notice | 28 | 25 | 33 | 33 | 29 | 148 | 35% |
| Violation notice | 27 | 26 | 11 | 18 | 8 | 90 | 21% |
| Total | 94 | 77 | 89 | 100 | 68 | 428 | 100% |

Source: U.S. Forest Service data. | GAO-16-559

Notes: The Forest Service law enforcement database contains incident reports (records of observation), warning notices, and violation notices prepared by law enforcement officers. The grazing year used for billing grazing fees is March 1 to February 28.

Appendix IV: Comments from the Department of Agriculture



United States
Department of
Agriculture

Forest
Service

Washington Office

201 14th Street, SW
Washington, DC 20250

File Code: 1410:2200
Date: JUN 10 2016

Ms. Anne-Marie Fennell
Director, Natural Resources and Environment
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

Dear Ms. Fennell:

The U.S. Department of Agriculture, Forest Service appreciates the opportunity to respond to the U.S. Government Accountability Office (GAO) draft report, "Unauthorized Grazing: Action Needed to Improve Tracking and Deterrence Efforts, (GAO-16-559)." The agency generally agrees with the findings in the GAO draft report.

Developing and maintaining collaborative relationships with grazing permittees is critical for the effective management of natural resources and enlisting support from grazing permittees to help manage the valuable resources found on the National Forests and Grasslands for the American public. We have already begun some preliminary work to update our direction to the field units including direction for billing rates for unauthorized grazing in a manner more similar to that used by the Bureau of Land Management. This report will help to sharpen our focus on providing direction for field units on how to resolve unauthorized grazing and document the activity and the solution.

Available resources for natural resource management has declined by 39 percent since 1995. This reduction in available resources does limit the agency's ability to provide compliance monitoring and follow up as necessary on all grazing lands. Given this limitation our practice of solving unauthorized grazing through informal means has worked well for the agency and through this approach we have not found long term situations where permittees had not paid the appropriate fees.

Thank you again for the opportunity to review the draft report. If you have any questions, please contact Thelma Strong, Chief Financial Officer, at 202-205-0429 or tstrong@fs.fed.us.

Sincerely,


THOMAS L. TIDWELL
Chief



Caring for the Land and Serving People



Appendix V: Comments from the Department of the Interior



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240

Ms. Anne-Marie Fennell
Director
Natural Resources and Environment
U.S. Government Accountability Office
441 G Street, NW
Washington, DC 20548

JUN 21 2016

Dear Ms. Fennell:

Thank you for the opportunity to review and comment on the Government Accountability Office (GAO) draft report titled, *Unauthorized Grazing: Actions Needed to Improve Tracking and Deterrence Efforts* (GAO-16-559). The Department of the Interior (Department) appreciates the GAO's review of the Bureau of Land Management's (BLM) livestock grazing program regarding detection and resolution of unauthorized livestock grazing.

Rangeland management focuses on maintaining and improving public land health, including the administration of grazing use through permit renewals and compliance inspections. The program has formidable challenges. The BLM currently faces a significant backlog of more than 6,000 grazing permits and leases that remain unprocessed. These backlogged permits represent 34 percent of the total grazing permits and leases nationwide.

Field offices regularly review and prioritize workloads for the rangeland management program. The grazing permit backlog has continued to grow as workload becomes more complex and staffing levels decline. The rangeland management program aims to meet the highest priority workload demands, considering the parallel challenges of an increasing backlog and decreasing staff levels. Prioritizing tasks and finding fresh and effective ways to meet program objectives is an ongoing effort in this era of fiscal limitations.

The GAO issued a total of six recommendations to the BLM and to the U.S. Forest Service to improve the effectiveness of each agency's efforts to track and deter unauthorized grazing. Three of the recommendations were specific to the BLM. Below is a summary of BLM's response to the relevant recommendations and the actions planned to implement them. The Department provides technical comments in separate cover.

Recommendation 1: Amend the regulations on unauthorized grazing use—43 C.F.R. Subpart 4150—to establish a procedure for the informal resolution of violations at the local level, or follow the existing regulations by sending a notice of unauthorized use for each potential violation as provided by 43 C.F.R. § 4150.2(a).

The BLM concurs with this recommendation. The BLM will revise the agency's Unauthorized Grazing Use Handbook to better describe procedures for following the existing regulations. As part of this effort, the BLM will clarify the process for documenting and recording incidents of unauthorized grazing, including those resolved informally (as discussed below in the response to

recommendation 2). In 2006, the U.S. District Court for the District of Idaho enjoined the BLM's most recent effort to revise the grazing regulations and the 1995 regulations have been in effect since the enjoinder was issued. That revision included the incorporation of the GAO's 1990 recommendations. It is not necessary or desirable to attempt another revision of the regulations solely to address this issue.

Recommendation 2: Record all incidents of unauthorized grazing, including those resolved informally.

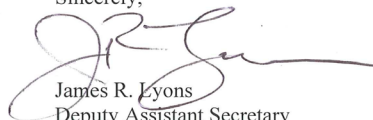
The BLM concurs with this recommendation. As stated above, the BLM will revise the agency's Unauthorized Grazing Use Handbook to clarify the definition of unauthorized grazing. In the Handbook, the BLM will outline the procedures for documenting and recording incidents of unauthorized grazing, including those resolved informally.

Recommendation 3: Revise the agency's Unauthorized Grazing Use Handbook to make it consistent with 43 C.F.R. pt. 4100.

The BLM concurs with this recommendation. The BLM will revise the Unauthorized Grazing Use Handbook to make it consistent with 43 C.F.R. part 4100.

If you have any questions, please contact Kristin Bail, Acting Assistant Director, Resources and Planning, at 202-208-4896, or LaVanna Stevenson, BLM Audit Liaison Officer, at 202-912-7077.

Sincerely,



James R. Lyons
Deputy Assistant Secretary
Land and Minerals Management

Appendix VI: GAO Contact and Staff Acknowledgments

GAO Contact

Anne-Marie Fennell, (202) 512-3841 or fennella@gao.gov

Staff Acknowledgments

In addition to the contact named above, Jeffery D. Malcolm (Assistant Director), Brad C. Dobbins, Karen (Jack) Granberg, and Katherine M. Killebrew made key contributions to this report. Important contributions were also made by Kevin S. Bray, Martin (Greg) Campbell, Elizabeth Martinez, Alana R. Miller, and Cynthia M. Saunders.

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