



The Colorado Independent CattleGrowers Association strongly supported Representative Kimmi Lewis' HB 17-1141, Equal Standing Bill. The bill would have provided protection for ranchers with grazing allotments from harassment by federal agents who would seek to use their position to adversely impact ranchers' livelihoods. HB 17-1141 would have held federal employees who act beyond the scope of their employment, such as removing grazing from an allotment without due process and just compensation, accountable for such actions at the state level.

Supporting the effort of the CICA and Range Allotment Owner's, attorneys Harriet Hageman and Korry Lewis of Hageman Law P.C. issued the following statement concerning HB 17-1141: "Colorado HB 17-1141 takes a bold step in the right direction. Range allotment owners are expected to comply with copious laws, burdensome regulations, and continuously changing policies of federal land management agencies. It is time for Americans to expect the federal employees, as enforcers of the laws and policies, to likewise respect the allotment owners' constitutionally-protected property interests."

The CICA was thoroughly disheartened to witness testimony against the bill by Terry Fankhouser, Executive Vice President of the Colorado Cattlemen's Association. Fankhouser testified to representing the entire membership of the Colorado Cattlemen's Association, the Colorado Wool Growers Association and the Colorado Public Lands Council. Fankhouser introduced Cory Doig, of C.E. Brookes and Associates, as an "expert in the field". Doig expressed his opinion that ranchers have no rights to the forage on allotments and that the bill violated federal agents' immunity from prosecution under the Qualified Immunity Doctrine. When questioned by Representative Leonard as to the current process for resolving disputes, Doig explained that the hosts of appeal, objection and litigation avenues are all "extremely expensive" and "time consumptive". Doig postulated that a revised version of the bill might better address the issue. Representative Leonard subsequently asked for an example of legislation that "could end or at least provide a huge disincentive for those kinds of conflicts". Doig replied, "Perhaps something that uses very plain language, that is define the scope of

employment or the relationship between the exact federal employees that are on that allotment, would be something off the top of my head, but it would take some time to come up with something that I think could work.”

The number of USFS allotment owners has declined by 65% since 1966 (U.S. Department of Agriculture). The BLM’s website likewise confirms that “Grazing use on public lands has declined from 18.2 million AUMs in 1954 to 8.6 million AUMs in FY 2015 (a 53 percent decrease)”. When a cattlemen’s organization hires legal council to fight against rancher’s interests instead of working towards a solution for a problem that they agree undeniably exists, it is a sad day indeed. Ranchers, are the heart and soul of the CICA’s grassroots organization which sees to the interests and profitability of producers of USA raised beef.

The audio for HB 17-1141 can be found at:

http://coloradoga.granicus.com/MediaPlayer.php?view_id=23&clip_id=10457

The Colorado Independent Cattle Growers Association’s mission is to actively promote policy that will beneficially affect the live cattle industry at the local, state and national level, securing and preserving a viable livelihood for present and future generations. The Association shall serve to support the financial, environmental, cultural and historical interests of independent cattle producers throughout Colorado and across America. Learn more online at www.coloica.com or find us on Facebook.

Sources:

U.S. Department of Agriculture, Forest Service. November 1969. *Annual Grazing Statistical Report 1966.*

<https://www.fs.fed.us/rangeland-management/documents/grazing-stats/1960s/GrazingStatisticalSummaryFY1966.pdf>

U.S. Department of Agriculture, Forest Service. March 2016. *Annual Grazing Statistical Report 2015.*

<https://www.fs.fed.us/rangeland-management/documents/grazing-stats/2010s/GrazingStatisticalSummaryFY2015.pdf>

U.S. Department of Interior, Bureau of Land Management. October 2015. *Fact Sheet on the BLM’s Management of Livestock Grazing.* <https://www.blm.gov/wo/st/en/prog/grazing.html>