

May 5, 2003

Director (630)
Bureau of Land Management
Eastern States Office
7450 Boston Boulevard
Springfield, Virginia 22153
Attention: RIN 1004-AD42

Re: Notice of Intent to Prepare an Environmental Impact Statement on proposed amendments to regulations governing BLM livestock administration on public lands.

Dear Sir/Madam:

The National Association of State Departments of Agriculture (NASDA) appreciates the opportunity to comment on the Bureau of Land Management's (BLM) proposed amendments on possible changes to the Grazing Administration Program.

NASDA represents the commissioners, secretaries, and directors of the state departments of agriculture in the fifty states and four territories. Our members support the protection of the environment and the wise use of our natural resources. American agriculture is dependent upon continued access to clean water, air, and fertile land for its viability.

NASDA submitted recommendations to BLM in February 2002 for changes in the current regulations dealing with court decisions and private ownership of range improvements. Current regulatory language concerning "full force and effect" (section 4.477) does not recognize principles of due process, including a full disclosure of the facts related to the decision, equal representation, and the rights of the accused to be assumed innocent until proven guilty. Other regulations in effect create a "double jeopardy" situation. A violation of one federal law will entail not only the penalties provided under that law, but also may result in the loss of the grazing permit. Finally, allowing private ownership of range management will provide incentives for permittees or lesses to invest, and provide enhanced stewardship of federal land. Attached are the pre-1996 regulatory language, post-1996 regulatory language, and a justification for changing the regulations.

Thank you for the opportunity to comment on this issue.

Sincerely,



Frank A. DuBois
Chairman, NASDA Natural Resources & Environment Committee
Director/Secretary, New Mexico Department of Agriculture