

Subcommittee on Federal Lands
Tom McClintock, Chairman
Hearing Memorandum

November 2, 2015

To: All Federal Lands Subcommittee Members

From: Aniela Butler and Spencer Kimball, Subcommittee Staff, x 6-7736
Subcommittee on Federal Lands

Hearing: Legislative hearing on H.R. 3342 (Rep. John Fleming), To provide for stability of title to certain lands in the State of Louisiana, and for other purposes
November 4, 2015 at 10:00 AM; 1324 Longworth.

H.R. 3342 (Rep. John Fleming), To provide for the stability of title to certain lands in the State of Louisiana, and for other purposes

Bill Summary

H.R. 3342, introduced by Congressman John Fleming, (R-LA), invalidates a Bureau of Land Management (BLM) survey from 1967 that re-designated the boundaries of land surrounding Lake Bistineau in Northern Louisiana. The bill also prevents any future surveys or re-surveys of the area from legally affecting the current titles of landowners in the area.

Invited Witnesses

The Honorable Dr. John Fleming (R-LA 4th)
Member of Congress

Steve Ellis, Deputy Director
Bureau of Land Management
U.S. Department of the Interior
Washington, D.C.

Background

In 1842, the U.S. government ordered a survey of lands in Louisiana that included the area surrounding Lake Bistenau. Using the results of this survey, Louisiana delineated its ownership of lands under the Equal Footing Doctrine and transferred 7,000 acres of land around Lake Bistenau to the Commissioners of the Bossier Levee District in 1901. Three years later, the Commissioners of the Bossier Levee District conveyed this land to private ownership.

In September 1967, the BLM re-surveyed this land and two additional islands in the Lake. This survey presented a new boundary line based on what the BLM believed was the size of Lake Bistenau over 155 years earlier when Louisiana was admitted to the Union. Although the

BLM published a notice of this new survey in the Federal Register two years later, the agency did not notify all affected landowners or otherwise take action to claim title.¹

Almost 50 years later, in September of 2013, the BLM notified landowners that their property appeared “to be still vested in the United States” based on the results of the 1967 survey.² Since then, the federal government and over 50 landowners have been in a dispute over the ownership of roughly 200 acres of land.

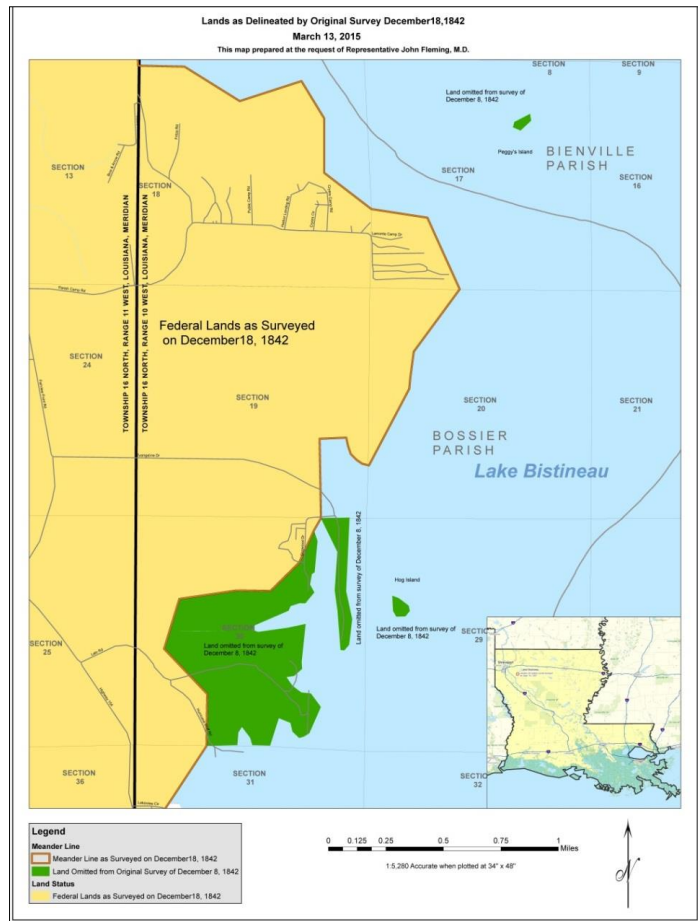
H.R. 3342 would invalidate the 1967 BLM survey and prevent any future surveys or re-surveys of the area from legally affecting the current titles of landowners in the area. As a result, the bill would resolve current uncertainty regarding the applicable titles and ensure that the federal government would have no ownership claims to any of the disputed land in the future.

Administration Position

Although local BLM staff has had input into the development of the bill, the Administration’s position is unknown at this time.

Cost

A Congressional Budget Office cost estimate has not yet been completed for this bill.



¹ Map prepared by the BLM at the request of Representative John Fleming, March 20, 2015.

² U.S. Department of the Interior, Letter to Mr. Davis Powell, Attorney for local landowners involved in the dispute, September 27, 2013.