

# Committee on Natural Resources

Rob Bishop, Chairman  
Markup Memorandum

January 29, 2016

To: All Natural Resources Committee Members

From: Majority Committee Staff, Spencer Kimball  
Subcommittee on Federal Lands (x6-7736)

Mark-Up: Markup on H.R. 3342 (Rep. John Fleming, R-LA), To provide for stability of title to certain lands in the State of Louisiana, and for other purposes February 2-3, 2016 1324 Longworth HOB

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## **H.R. 3342 (Rep. John Fleming, R-LA), To provide for 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-04), 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.

### **Cosponsors**

None

### **Background**

In 1842, the U.S. government completed a survey of lands in Louisiana that included the area surrounding Lake Bistineau. 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 Bistineau 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 Bistineau over 155 years earlier when Louisiana was admitted to the Union in 1812. Although the BLM published a notice in the Federal Register two years later stating that this new survey occurred, the agency did not notify all affected landowners that the new survey served as the BLM's claim of the lands. Further, the agency did not file their claim in the local property records, or otherwise take any action to claim title.

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.<sup>1</sup> Since then, the federal government and over 100 private landowners (including over 50 homes) 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 the affected lands 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.<sup>2</sup>

**Major Provisions of the Bill**

*Section 2* voids and eliminates any legal effect of the BLM document titled “Dependent Re-Survey, Extension Survey and Survey of Two Islands, Sections 17, 29, and 30” and states that no future survey or re-survey of the lands that were the subject of that document undertaken by the Federal Government shall have any legal effect as to the title and boundaries of those subject lands.

**Cost**

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

**Administration Position**

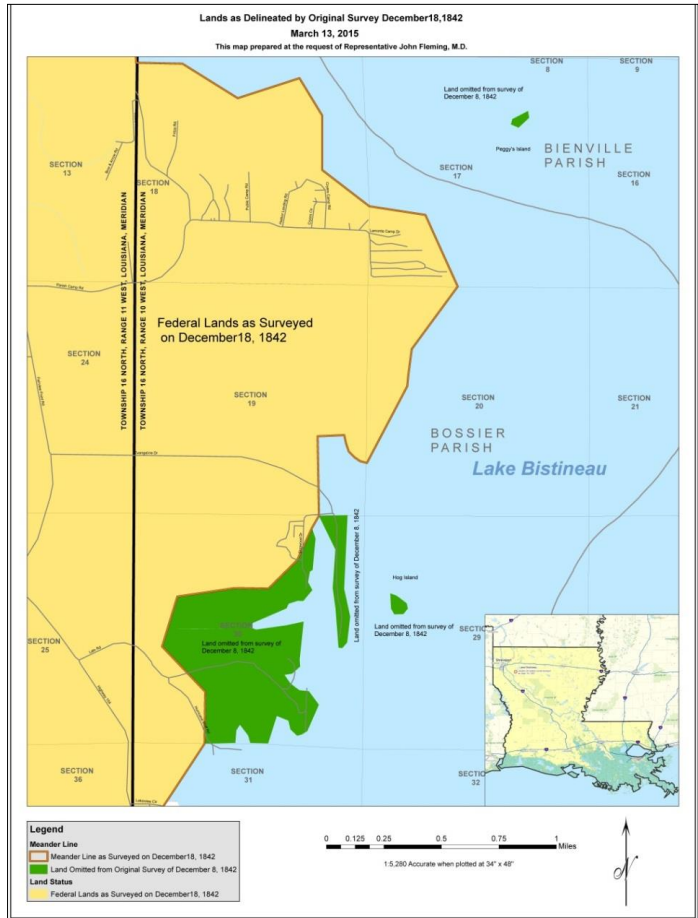
The Administration opposes the bill.

**Effect on Current Law**

H.R. 3342 does not affect current law.

**Anticipated Amendments**

None.



<sup>1</sup> U.S. Department of the Interior, Letter to Mr. Davis Powell, Attorney for local landowners involved in the dispute, September 27, 2013.

<sup>2</sup> Map prepared by the BLM at the request of Representative John Fleming. March 20, 2015.