

114TH CONGRESS
2D SESSION

H. R. 6247

To provide for stability of title to certain lands in the State of Louisiana,
and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2016

Mr. FLEMING introduced the following bill; which was referred to the
Committee on Natural Resources

A BILL

To provide for stability of title to certain lands in the State
of Louisiana, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS AND PURPOSE.**

4 (a) FINDINGS.—Congress finds as follows:

5 (1) On December 8, 1842, the Surveyor Gen-
6 eral of the United States Government approved an
7 original survey of lands in Northern Louisiana,
8 which included the lands surrounding Lake
9 Bistineau.

1 (2) Under the Equal Footing Doctrine, the
2 State of Louisiana was entitled to the lands under-
3 lying the navigable waters in place at statehood
4 within its limits.

5 (3) The State of Louisiana delineated its own-
6 ership based on the United States Government's
7 Original Survey of 1842.

8 (4) In 1901, the State of Louisiana transferred
9 over 7,000 acres of land to the Commissioners of the
10 Bossier Levee District through Louisiana Act Num-
11 ber 89 of 1892.

12 (5) The State of Louisiana conducted a survey
13 in 1901 that followed the same path around Lake
14 Bistineau as the Original Survey of 1842.

15 (6) The Bossier Levee District subsequently
16 conveyed the subject lands to private ownership in
17 1904. Lands within the subject lands continued to
18 be bought and sold in good faith based on the sta-
19 bility of this title.

20 (7) On September 16, 1967, the Bureau of
21 Land Management submitted a re-survey of the sub-
22 ject lands for S30-T16N-R10W and two adjacent
23 islands. The re-survey presented a new line to rep-
24 resent what the Bureau of Land Management sur-
25 veyors believed was the contour of Lake Bistineau

1 155 years earlier, when Louisiana joined the Union.
2 The Bureau of Land Management approved the re-
3 survey on January 15, 1969. That re-survey was
4 filed in the Federal Register (34 Fed. Reg. 2677),
5 but the Bureau of Land Management has presented
6 no records of further notifying all of the affected
7 landowners of the re-survey's effects or that the re-
8 survey could be contested.

9 (8) On September 27, 2013, the Bureau of
10 Land Management responded to an inquiry by cer-
11 tain affected landowners to inform them that title to
12 their property would “appear to be still vested in the
13 United States”.

14 (9) There are estimated to be more than 200
15 acres and more than 50 residential homes on the re-
16 cently disputed lands.

17 (b) PURPOSE.—The purpose of this Act is to direct
18 the Secretary of the Interior to issue a recordable dis-
19 claimer of interest by the United States to any omitted
20 lands or lands lying outside the record meander lines de-
21 scribed in section 3(b).

22 **SEC. 2. DEFINITIONS.**

23 In this Act:

24 (1) RECORDABLE DISCLAIMER OF INTEREST.—

25 The term “recordable disclaimer of interest” means

1 a document recorded in the Parish clerk's office or
2 other such local office where real property docu-
3 ments are recorded, in which the United States dis-
4 claims any right, title, or interest to those lands
5 found lying outside the recorded meander lines of
6 the subject lands referred to in section 3(b), includ-
7 ing omitted lands, if any.

8 (2) OMITTED LANDS.—The term “omitted
9 lands” means any lands that were in place on the
10 date of the Original Survey referred to in section
11 3(b) but were not included in the Original Survey of
12 S30–T16N–R10W including adjacent islands and
13 the meander lines of the water body, even if due to
14 gross error or fraud in the Original Survey or by the
15 original surveyor.

16 (3) SECRETARY.—The term “Secretary” means
17 the Secretary of the Interior.

18 **SEC. 3. LEGAL STATUS OF RE-SURVEY.**

19 (a) IN GENERAL.—The document titled “Dependent
20 Re-Survey, Extension Survey and Survey of Two Islands,
21 Sections 17, 29, and 30” (completed on November 24,
22 1967; approved on January 15, 1969; and filed in the
23 Federal Register (34 Fed. Reg. 2677)) shall not be consid-
24 ered or serve as a gross error determination and otherwise

1 shall have no legal force or effect on the ownership of the
2 subject lands.

3 (b) OMITTED LANDS.—The meander lines in the
4 Original Survey of December 8, 1842, for S30–T16N–
5 R10W and two adjacent islands are definitive for purposes
6 of determining title.

7 (c) DISCLAIMER OF INTEREST.—The Secretary shall
8 prepare a recordable disclaimer of interest of the omitted
9 lands, if any, including land descriptions using the lot or
10 tract numbers as shown on the Dependent Re-Survey and
11 lands lying outside the record meander lines.

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