

115TH CONGRESS
1ST SESSION

S. 1219

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

IN THE SENATE OF THE UNITED STATES

MAY 24, 2017

Mr. CASSIDY introduced the following bill; which was read twice and referred
to the Committee on Energy and Natural Resources

A BILL

To provide for stability of title to certain land 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. SHORT TITLE.**

4 This Act may be cited as the “Lake Bistineau Land
5 Title Stability Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds that—

8 (1) on December 8, 1842, the Surveyor General
9 approved an original survey of land in northern Lou-

1 isiana, which included the land surrounding Lake
2 Bistineau;

3 (2) under the equal footing doctrine, the State
4 of Louisiana was entitled to the land underlying the
5 navigable waters in place within the boundaries of
6 the State as of the date on which the State joined
7 the Union;

8 (3) the State of Louisiana delineated the owner-
9 ship of the land in the State based on the Original
10 Survey;

11 (4) in 1901, the State of Louisiana—

12 (A) transferred more than 7,000 acres of
13 land to the commissioners of the Bossier Levee
14 District through Louisiana Act Number 89 of
15 1892; and

16 (B) conducted a survey that followed the
17 same path around Lake Bistineau as the path
18 included in the Original Survey;

19 (5) in 1904, the Bossier Levee District subse-
20 quently conveyed the land described in paragraph
21 (4)(A) to private ownership;

22 (6) parcels of the land described in paragraph
23 (4)(A) were bought and sold in good faith based on
24 the stability of the title to the land;

1 (7) on September 16, 1967, the Bureau of
2 Land Management submitted a resurvey of the land
3 described in paragraph (4)(A) for S30–T16N–R10W
4 and 2 adjacent islands, which presented a new line
5 to represent what the Bureau of Land Management
6 surveyors believed to be the contour of Lake
7 Bistineau as of the date on which the State of Lou-
8 isiana joined the Union;

9 (8) on January 15, 1969, the Bureau of Land
10 Management approved the Resurvey;

11 (9) on February 27, 1969, notice of the filing
12 of the Resurvey was filed in the Federal Register
13 (34 Fed. Reg. 2677), but the Bureau of Land Man-
14 agement has presented no records of further notice
15 provided to the affected landowners regarding—

16 (A) the effects of the Resurvey; or

17 (B) the right of affected landowners to
18 contest the Resurvey;

19 (10) on September 27, 2013, the Bureau of
20 Land Management responded to an inquiry by cer-
21 tain owners of land subject to the Resurvey to in-
22 form the landowners that title to the land of the
23 landowners would “appear to be still vested in the
24 United States”; and

1 (11) there are estimated to be more than 200
2 acres of, and more than 50 residential homes located
3 on, the land subject to the Resurvey.

4 (b) PURPOSE.—The purpose of this Act is to direct
5 the Secretary of the Interior to issue a recordable dis-
6 claimer of interest of the United States in and to—

7 (1) any land described in paragraphs (1) and
8 (2) of subsection (b) of section 4 that is located out-
9 side the record meander lines described in that sub-
10 section; and

11 (2) any omitted land.

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

14 (1) OMITTED LAND.—The term “omitted land”
15 means any land in S30–T16N–R10W, including ad-
16 jacent islands and the meander lines of the water
17 body, that was in place during the Original Survey,
18 but that was not included in the Original Survey, re-
19 gardless of whether the exclusion of the land was
20 due to gross error in the Original Survey or fraud
21 by any individual conducting the Original Survey.

22 (2) ORIGINAL SURVEY.—The term “Original
23 Survey” means the survey of land in northern Lou-
24 isiana approved by the Surveyor General on Decem-
25 ber 8, 1842.

1 (3) RESURVEY.—The term “Resurvey” means
2 the document entitled “Dependent Re-Survey, Ex-
3 tension Survey and Survey of Two Islands, Sections
4 17, 29, and 30”, which was completed on November
5 24, 1967, approved on January 15, 1969, and pub-
6 lished in the Federal Register on February 27, 1969
7 (34 Fed. Reg. 2677).

8 (4) SECRETARY.—The term “Secretary” means
9 the Secretary of the Interior.

10 **SEC. 4. LEGAL STATUS OF RESURVEY.**

11 (a) IN GENERAL.—The Resurvey—

12 (1) shall not be considered to be, or serve as,
13 a gross error determination; and

14 (2) shall have no legal force or effect on the
15 ownership of the land described in paragraphs (1)
16 and (2) of subsection (b).

17 (b) MEANDER LINES.—The meander lines in the
18 Original Survey are definitive for purposes of determining
19 title to—

20 (1) the land in S30–T16N–R10W; and

21 (2) the 2 islands adjacent to the land described
22 in paragraph (1).

23 (c) DISCLAIMER OF INTEREST.—

24 (1) IN GENERAL.—The Secretary shall prepare
25 a disclaimer of interest in which the United States

1 disclaims any right, title, or interest of the United
2 States in and to—

3 (A) any land described in paragraphs (1)
4 and (2) of subsection (b) that is located outside
5 the recorded meander lines described in that
6 subsection; and

7 (B) any omitted land.

8 (2) FILING.—The Secretary shall record the
9 disclaimer of interest prepared under paragraph (1)
10 in the appropriate local office in the State of Lou-
11 isiana in which real property documents are re-
12 corded.

13 (3) INCLUSIONS.—The disclaimer of interest
14 filed under paragraph (2) shall include legal descrip-
15 tions of the land subject to the disclaimer of interest
16 using the lot or tract numbers included in the Re-
17 survey.

○