



Oppose H.R. 428 (Thornberry, R-TX), the Red River Gradient Boundary Survey Act

H.R. 428 strips the Bureau of Land Management (BLM) of its survey authority along a 116-mile stretch of the Red River along the border between Texas and Oklahoma. The bill hands federal authority to survey public domain lands to the States of Texas and Oklahoma, without oversight or approval of the final survey by the Interior Secretary.

Federal interest in land along the Red River between Texas and Oklahoma dates back to the Louisiana Purchase. More than two hundred years later, conflicting treaties and compacts, as well as natural erosion along the river bank, have created confusion about the amount and location of land owned by the Federal government, local Tribes, and the states. The BLM estimates that the federal government retains ownership of approximately 30,000 acres in the area, with as many as 23,000 of those acres overlaid by private claims.

In 2013, the BLM began revisions to the Oklahoma, Kansas, and Texas Resource Management Plan, including an Environmental Impact Statement pursuant to the National Environmental Policy Act, and any necessary surveys to determine all ownership claims.

H.R. 428 would halt this planning process, transfer survey authority to the Texas General Land Office and Oklahoma Commissioners of the Land Office, in coordination with affected federally recognized Indian tribes, and specifically waive federal approval of the survey results.

Messages:

- Transferring BLM's survey authority over public domain land is unprecedented and would create even more ambiguity in an already complicated situation.
- BLM is the federal government's "Surveyor of Record," yet H.R. 428 transfers survey authority to the states. This is unfair to the American taxpayers, who deserve fair compensation for assets owned by the United States.
- Contrary to Republican claims, BLM does not intend to seize any private lands. If the agency's process is allowed to continue, the intent is to verify all ownership claims and eventually convey federal interests where individuals can prove ownership.
- The federal government maintains a trust responsibility to Native American tribes. Transferring consultation authority to the states, and then dismissing federal approval of the survey results, is a dereliction of that duty.
- H.R. 428 eliminates federal authority in the area, but would still require the American taxpayer to pay for the State's surveys. The bill authorizes a one million dollar appropriation, all of which will presumably go to the states. If Texas and Oklahoma want to take over the survey, they should, at the very least, pick up the tab.
- The litigation on this issue has reached the 10th Circuit. The BLM, the state of Texas, and landowners in Texas are currently in mediation, making progress towards resolving this very complicated issue. This bill would undermine that progress.