

HR 2130

Red River Private Property Protection Act

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Public Lands and Natural Resources

Introduced: Apr 30, 2015

Current Status: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.

Latest Action: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
(Dec 10, 2015)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/2130>

Sponsor

Name: Rep. Thornberry, Mac [R-TX-13]

Party: Republican • **State:** TX • **Chamber:** House

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Carter, John R. [R-TX-31]	R · TX		Apr 30, 2015
Rep. Gohmert, Louie [R-TX-1]	R · TX		Apr 30, 2015
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Apr 30, 2015
Rep. Farenthold, Blake [R-TX-27]	R · TX		May 13, 2015
Rep. Sessions, Pete [R-TX-32]	R · TX		May 13, 2015
Rep. Ratcliffe, John [R-TX-4]	R · TX		Jul 8, 2015
Rep. Johnson, Sam [R-TX-3]	R · TX		Oct 23, 2015

Committee Activity

Committee	Chamber	Activity	Date
Energy and Natural Resources Committee	Senate	Referred To	Dec 10, 2015
Natural Resources Committee	House	Discharged from	Sep 10, 2015

Subjects & Policy Tags

Policy Area:

Public Lands and Natural Resources

Related Bills

Bill	Relationship	Last Action
114 HRES 556	Procedurally related	Dec 9, 2015: Motion to reconsider laid on the table Agreed to without objection.
114 S 1153	Identical bill	Apr 30, 2015: Read twice and referred to the Committee on Energy and Natural Resources. (text of measure as introduced: CR S2572-2573)

Red River Private Property Protection Act

(Sec. 2) This bill declares that the Bureau of Land Management (BLM) of the Department of the Interior disclaims any right, title, and interest to certain lands along a stretch of the Red River between Texas and Oklahoma (the affected area) located south of the South Bank boundary line.

BLM surveys conducted before enactment of this Act shall have no force or effect in determining the South Bank boundary line.

(Sec. 3) The BLM, in identifying the current South Bank boundary line along the affected area, shall commission a new survey that: (1) adheres to the gradient boundary survey method, (2) spans the entire length of the affected area, (3) is conducted by Licensed State Land Surveyors chosen by the Texas General Land Office and each affected federally recognized Indian tribe, and (4) is completed within two years of enactment of this Act.

The survey, including surveys of individual parcels, shall be submitted to the Texas General Land Office, not to the BLM, for approval, in consultation with the Oklahoma Commissioners of the Land Office and each affected federally recognized Indian tribe.

The Texas Land Office shall notify the BLM of its approval of a survey, together with a copy and related field notes.

The BLM, after receiving this notification, shall notify the landowners adjacent to the surveyed parcel, together with a copy and related field notes.

(Sec. 4) A landowner who receives such a notification and who claims to hold right, title, or interest in the affected area may appeal the survey's determination to an Administrative Law Judge of the Department of the Interior.

A landowner who files such an appeal and is adversely affected by the final decision may file a civil action in the U.S. district court for the district in which the person resides or in which the affected area is located.

(Sec. 5) If the BLM determines that a surveyed parcel is not subject to appeal or judicial review, it shall notify federally recognized Indian tribes with jurisdiction over lands adjacent to the parcel that it shall accept patent applications for that parcel for 210 days. The BLM shall also check at least once every six months the status of any appeals or further judicial reviews related to a parcel that is subject to appeal or further judicial review until it is no longer subject to appeal or further judicial review.

The BLM may issue to an applicant, on the payment of fair market value per acre, a patent for the surface rights to a parcel of identified federal lands that the applicant (or the applicant's ancestors or grantors) have held in good faith and in peaceful adverse possession for more than 20 years under a claim (including through a state land grant). Such a patent shall:

- reserve to the United States all minerals contained in the parcel, which shall be subject to sale or disposal under leasing and mineral land laws; and
- recognize the right of U.S. permittees, lessees, or grantees to enter the parcel to prospect for and mine deposits.

(Sec. 6) After the period for applications expires, but for only 60 days, the BLM shall offer for purchase the surface rights to the remaining identified federal land located north or south of the vegetation line of the South Bank. The purchase offer

shall go first to federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, that possess the right of first refusal, then to specified adjacent landowners located in Oklahoma or Texas for each next right of refusal.

The bill defines "remaining identified federal lands" as any parcel of identified federal lands:

- not subject to appeal or further judicial review,
- not determined by an Interior Administrative Law Judge or a federal court to be the property of an adjacent landowner, and
- not patented or subject to a pending request for a patent.

Any such parcel that is not purchased shall be offered by BLM for disposal by a competitive sale for not less than fair market value.

Any such sale shall be subject to: (1) the condition that all minerals contained in the parcel are reserved to the United States and subject to sale or disposal under applicable leasing and mineral land laws; (2) the condition that permittees, lessees, or grantees have the right to enter the parcel to prospect for and mine deposits; and (3) valid existing state, tribal, and local rights.

(Sec. 7) The BLM may not treat a parcel of identified federal lands as federal land for purposes of a resource management plan if the treatment does not comply with this Act.

Actions Timeline

- **Dec 10, 2015:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Dec 9, 2015:** Rule H. Res. 556 passed House.
- **Dec 9, 2015:** Considered under the provisions of rule H. Res. 556. (consideration: CR H9173-9186)
- **Dec 9, 2015:** Rule provides for consideration of H.R. 2130 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Dec 9, 2015:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 556 and Rule XVIII.
- **Dec 9, 2015:** The Speaker designated the Honorable Ted Poe to act as Chairman of the Committee.
- **Dec 9, 2015:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2130.
- **Dec 9, 2015:** DEBATE - Pursuant to the provisions of H. Res. 556, the Committee of the Whole proceeded with 10 minutes of debate on the Bishop (UT) amendment.
- **Dec 9, 2015:** DEBATE - Pursuant to the provisions of H. Res. 556, the Committee of the Whole proceeded with 10 minutes of debate on the Cole (OK) amendment.
- **Dec 9, 2015:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2130.
- **Dec 9, 2015:** The previous question was ordered pursuant to the rule. (consideration: CR H9181)
- **Dec 9, 2015:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text of amendment in the nature of a substitute: CR H9178-9179)
- **Dec 9, 2015:** Mr. Thompson (CA) moved to recommit with instructions to the Committee on Natural Resources. (consideration: CR H9182-9185; text: CR H9182-9183)
- **Dec 9, 2015:** Floor summary: DEBATE - The House proceeded with 10 minutes of debate on the Thompson (CA) motion to recommit with instructions, pending reservation of point of order. The instructions in the motion seek to report the same back to the House forthwith with an amendment to amend the federal criminal code to grant the Attorney General the authority to deny the transfer or issuance of firearm and explosives licenses to any individual whom the Attorney General has determined to be engaged in terrorist activities.
- **Dec 9, 2015:** Point of order sustained against the motion to recommit with instructions.
- **Dec 9, 2015:** Mr. Bishop (UT) raised a point of order against the motion to recommit with instructions. Sustained by the Chair.
- **Dec 9, 2015:** Mr. Thompson (CA) appealed the ruling of the chair. The question was then put on sustaining the ruling of the chair.
- **Dec 9, 2015:** Mr. Bishop (UT) moved to table the motion to appeal the ruling of the chair
- **Dec 9, 2015:** On motion to table the motion to appeal the ruling of the chair Agreed to by the Yeas and Nays: 246 - 182 (Roll no. 685).
- **Dec 9, 2015:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 253 - 177 (Roll no. 686).
- **Dec 9, 2015:** On passage Passed by the Yeas and Nays: 253 - 177 (Roll no. 686).
- **Dec 9, 2015:** Motion to reconsider laid on the table Agreed to without objection.
- **Dec 8, 2015:** Rules Committee Resolution H. Res. 556 Reported to House. Rule provides for consideration of H.R. 2130 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order.
- **Nov 4, 2015:** Reported (Amended) by the Committee on Natural Resources. H. Rept. 114-327.
- **Nov 4, 2015:** Placed on the Union Calendar, Calendar No. 248.
- **Sep 10, 2015:** Committee Consideration and Mark-up Session Held.
- **Sep 10, 2015:** Ordered to be Reported in the Nature of a Substitute (Amended) by the Yeas and Nays: 21 - 11.
- **Sep 10, 2015:** Subcommittee on Federal Lands Discharged.
- **Sep 9, 2015:** Committee Consideration and Mark-up Session Held.
- **Jul 1, 2015:** Referred to the Subcommittee on Federal Lands.
- **Apr 30, 2015:** Introduced in House
- **Apr 30, 2015:** Referred to the House Committee on Natural Resources.