



Written by [Alex Newman](#) on April 23, 2014

Lawmakers Unveil Plan to Liberate Western Lands and Evict Feds

With the [now-infamous federal abuses against the Bundy ranching family and its supporters](#) in Nevada helping to awaken a sleeping giant, liberty-minded elected officials from Western states are coming together with citizens to take action in defense of the Constitution and the West. Their mission: to wrest control over the vast expanses of land and wealth in the region that are unconstitutionally claimed by the Washington, D.C.-based political and bureaucratic classes. Now, a new alliance of lawmakers and citizens has a concrete plan to make those goals a reality.



As *The New American* reported this week, [more than 50 elected officials from nine Western states met on April 18 at the Utah Capitol](#) for the Legislative Summit on the Transfer for Public Lands. Among them were state House speakers, state senators, a U.S. senator, county commissioners, and more. The goal, multiple organizers and attendees explained, is to strip the federal government of the almost 50 percent of land in Western states that it claims to “own” in defiance of the U.S. Constitution and various agreements.

One of the lawmakers who participated, Washington State Rep. Matt Shea, a liberty-minded Republican who also stood with the Bundy family, says that lawmakers from Western states are determined to protect the Constitution and their constituents. “Legislators from across the West are saying enough is enough,” Rep. Shea told *The New American* after the summit in Salt Lake City. “We are banding together to fight federal overreach wherever it rears its ugly head, not just talk about it.”

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To do that, last week, another alliance of lawmakers, citizens, businessman, ranchers, sheriffs, officials, and more came together and created the [Coalition of Western States United Against Tyranny](#), or [COWS](#) for short. Already, the network has seen phenomenal growth, with more than 25 lawmakers joining up by April 22, Rep. Shea explained. “COWS has grown massively in just one week and legislators from all over the West are jumping on board,” he said, adding that he was “absolutely” optimistic about their prospects for success.

COWS advocates a five-step process to evict the self-styled federal landlords from the Western United States, Rep. Shea explained. In the short term, county governments should [draw up management plans for the land in coordination with state and federal agencies](#). Already, federal law requires that U.S. bureaucracies work with local officials, though in practice, that rarely happens. At the same time, states should also introduce and pass legislation to prohibit any net loss of private land to government.

In the longer term, federally (mis)managed lands should be transferred over to state authorities, “because government closest to the people is best,” Rep. Shea continued. “The federal government



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cannot possibly know how best to manage land in the thousands of different locales like the people of those areas could,” the popular Republican lawmaker explained, echoing the sentiments of countless other policymakers and activists who say the federal government needs to be stripped of its vast, unconstitutional land holdings.

“Clearly,” Shea says, “the people of Western states would do a better job managing those lands.” In fact, among the most common complaints on the issue in the West is the fact that the [feds have done a terrible job maintaining the land they purport to own](#) — especially when compared with the areas managed by state and local governments, or even private citizens. The COWS lawmakers said an [excellent, proven process for transferring federally managed lands into state control](#) has been laid out by the American Lands Council and others.

Then there is the issue of keeping promises. As the Western territories were officially becoming states, like in the East, the federal government agreed to eventually transfer those lands. However, as with so many other promises made by the D.C.-based political class, so far, it has not been fulfilled. “The enabling acts of the Western States make it clear the federal government was meant to be a steward only until such time that the states could manage,” Rep. Shea explained.

The state of Utah has taken the strongest action thus far toward ensuring that the feds comply. In 2012, lawmakers passed and the governor signed a law demanding that the federal government relinquish control over much of the estimated two-thirds of territory inside Utah’s borders it claims to control. The law specifically cited those agreements from when Utah joined the Union, threatening a lawsuit if Washington, D.C., refuses to comply.

Perhaps the most important issue at play in the whole land issue, though, is the U.S. Constitution. “Article 1 Section 8 of the U.S. Constitution spells out what types of property the federal government can ‘own’,” Rep. Shea continued, pointing out that, outside of a few limited exceptions, it is not constitutional for Washington, D.C., to own or control land — much less half of the Western United States, and as much as 85 percent of some states such as Nevada.

Rep. Shea also pointed to *The Federalist*, No. 45, which (he notes) “makes clear the intent” of America’s Founding Fathers. “The powers delegated by the proposed Constitution to the federal government, are few and defined,” the document states. “Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiation, and foreign commerce; with which last the power of taxation will, for the most part, be connected. The powers reserved to the several States will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties, and properties of the people, and the internal order, improvement, and prosperity of the State.”

Eventually, also in the long term, some of the land wrested from the federal government should be sold off to private parties “as required in the enabling acts of most of the states,” Rep. Shea continued. Indeed, numerous lawmakers and analysts say at least some of that land should be privatized, allowing the Western states to boost their economy and tax base while extending private-property rights to a broader area and a potentially greater number of individuals. Exactly how much land should be kept in the hands of state and local authorities could be decided going forward.

The economic and environmental benefits, though, would be significant. “It would have a massive positive impact putting that land back into productive use for both the economy and the tax base,” Rep. Shea explained, again echoing the recently expressed concerns of dozens of powerful lawmakers and



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countless Western-state citizens, with some estimates suggesting that there is around \$150 trillion in mineral wealth alone. “In fact, in the enabling act that brought Washington State into the Union, the proceeds from a portion of the sale of that land must go to specifically funding education.”

Finally, the fifth step in the process would be to disarm federal bureaucrats — a demand that is growing increasingly urgent after the federal terror unleashed by heavily armed Bureau of Land Management officials against the Bundy family and friends in Nevada. “This is not an isolated incident and is part of a broader war on rural America,” Rep. Shea explained. “Bureaucratic rules and regulations are functionally disallowing the viable economic use of large swaths of land in the West. Regardless, a sniper rifle and killing instead of seizing cattle is not due process.”

With the public increasingly galvanized against federal abuses and lawlessness after the Bundy ranch fiasco, now is a perfect time for state governments and the American people to put the U.S. government back in its constitutional cage where it belongs — and where it cannot send in heavily armed storm troopers to terrorize ranchers and protesters over alleged unpaid “fees” or tortoisés. The alternative is [more and more Bundy ranch-style paramilitary disasters](#), along with eventual tyranny. With optimistic Western lawmakers making strong and popular moves to protect liberty and evict the feds, though, liberty-minded Americans have good reason to be optimistic as well.

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