



Written by [Alex Newman](#) on April 22, 2014

Western States Want Feds to Surrender “Federal” Land

Elected officials from across the American West, from top lawmakers to county commissioners, held a historic gathering in Utah in recent days to discuss how Western states could wrest control of the almost 50 percent of land in the region currently claimed by the federal government. Aside from constitutional concerns — with a few exceptions, the U.S. Constitution does not authorize ownership or control over land by the political class in Washington, D.C. — the Western leaders and legislators cited economic harm, [environmental degradation](#), loss of tax revenue, and numerous other reasons for the effort.



Meeting at the Utah Capitol late last week for the Legislative Summit on the Transfer for Public Lands were more than 50 elected officials from nine Western states: Nevada, New Mexico, Arizona, Utah, Wyoming, Oregon, Washington, Idaho, and Montana. Multiple state House speakers were in attendance. Even U.S. Senator Mike Lee (R-Utah), who is developing a reputation as one of the few solid Constitution-supporting lawmakers in the Senate, addressed the gathering in support of Western states and their mission to gain control of the territory in their borders.

Meanwhile, across America, and especially the West, growing masses of citizens celebrated the effort to put the out-of-control federal government back where it belongs — inside its constitutional cage rather than in states where it has no legitimate business. Following the nationwide scandal surrounding the [abuse of Nevada rancher Cliven Bundy and his supporters](#) in an effort to crush his business by the Obama administration’s Bureau of Land Management, the outrage over out-of-control federal land machinations is reaching a boiling point.

While the summit was organized before the Bundy-BLM fiasco stirred national fury against the federal actions, the confrontation at the ranch between productive citizens and rogue bureaucrats reportedly provided additional urgency to the efforts. “What’s happened in Nevada is really just a symptom of a much larger problem,” explained Utah House Speaker Becky Lockhart, one of many high-profile leaders in the state who say the federal government needs to hand over the land. “The majority of these states have more federal land within their borders than land of their own. It is about fairness.”

Utah State Rep. Ken Ivory, one of the summit organizers, noted that there is an estimated \$150 trillion in mineral resources “locked up in federal lands” across the West — wealth that is desperately needed by struggling American families in a flailing economy. Aside from that, the federal government has been [an especially poor steward of the land](#), he added, endangering Utahans and other citizens across the Western states.

“The acres harvested are dropping precipitously,” Ivory was quoted as saying. “At the same time, the catastrophic wildfires are increasing dramatically, the cost, the acreage. That’s killing millions of animals; it’s destroying habitat and watershed. So, if we don’t stand up to act now, and seeing that



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trajectory of what's coming, we know that down the road those problems are only going to get bigger."

Indeed, state officials in Utah, facing an increasingly power-hungry federal government with a "current fiscal trajectory" that is "unsustainable," have been taking the lead on the effort. Among other initiatives, state policymakers are preparing for a future where Utah will have to become financially independent of a federal behemoth that is drowning the public in debts. To that end, the state passed a law in 2012 demanding that the federal government surrender control over the land inside Utah borders that bureaucrats and politicians in D.C. claim to own.

Outside of Utah, those sentiments are growing as well. Numerous state lawmakers and leaders from across the West said the time had come for the people of the Western states to take control of their destiny. Instead of mandates from faraway politicians and bureaucrats infamous for their inability to balance a budget or [properly manage much of anything](#), participants said states could do a better job.

"It's time the states in the West come of age," Idaho Speaker of the House Scott Bedke was quoted as saying, adding that land managed by states was being kept in far better condition than forests and rangeland controlled by the federal government. "We're every bit as capable of managing the lands in our boundaries as the states east of Colorado." Others said much of the land should simply be put in private hands, perhaps auctioned off to bidders with the proceeds used to pay down the federal government's gargantuan and growing debts.

Organizers of the summit also said states could and would do a better job — although that is far from the only reason for the feds to relinquish the vast expanses of territory it purports to own. "Those of us who live in the rural areas know how to take care of lands," declared Montana state Sen. Jennifer Fielder, one of the summit organizers, adding that federal lands have increasingly been managed with "politicized science" and bad policy. "We have to start managing these lands. It's the right thing to do for our people, for our environment, for our economy and for our freedoms."

While the federal government [claims to "own"](#) relatively small amounts of land in the east of the country, when it comes to states on the other side of the Mississippi river, the situation is radically different. Nevada, for example — the site of the recent showdown between heavily armed federal "land" bureaucrats and the ranching family — Washington, D.C., purports to own more than 80 percent of the state's territory. In Alaska, the figure is about 70 percent. In Utah, where the meeting was held, the feds claim about two-thirds of the land. By comparison, in New York, it is less than one percent.

Much of the land purportedly under federal jurisdiction contains extremely valuable resources: oil, timber, coal, minerals, water, and more. If it was under state or private control, the people of the American West would be able to benefit from that vast wealth much more directly. Instead, with the feds claiming to be in charge, states and citizens are reduced to begging the D.C.-based political and bureaucratic classes for permission to do anything and for crumbs that may be left over from whatever economic activities are permitted.

Perhaps the most important factor in the escalating showdown, though, is the U.S. Constitution — the contract whereby state governments delegated certain limited powers to the federal government. In Article I, Section 8, the American people, acting through their sovereign states, granted this authority to their agent: "To exercise exclusive legislation in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of Congress, become the seat of the government of the United States, and to exercise like authority over all places



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purchased by the consent of the legislature of the state in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings.”

In other words, the federal government’s purported claims of jurisdiction over an estimated one-third of America’s landmass are brazenly unconstitutional. Whether federal courts are willing to concede that should be irrelevant — the language of the Constitution is clear, and there is no need for “interpretation” by federal supremacists in the federal judiciary.

Federal land-lording is also unwise for a variety of pragmatic reasons, experts argue, and there can be little doubt as to how America’s Founders would have felt about it. “I would say the last thing you want is the federal government’s ownership of lands,” R.J. Smith, a senior fellow in environmental policy at the National Center for Public Policy Research, told Newsmax. “That’s not why this country was founded. That’s what the Founding Fathers were trying to escape — the king’s house, the king’s land, the king’s everything.”

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Photo of Arches National Park

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