



**Republican
National
Committee**

Counsel's Office

**RESOLUTION IN SUPPORT OF
WESTERN STATES TAKING BACK PUBLIC LANDS**

WHEREAS, The federal government promised all newly created states – in their statehood enabling contracts – that it would transfer title to the public lands;

WHEREAS, This promise to transfer title to the public lands is the same for all states east and west of Colorado;

WHEREAS, The federal government honored this promise with Hawaii and all states east of Colorado and today controls on average less than 5% of the lands in those states;

WHEREAS, The federal government has failed to honor this same promise with MT, WY, CO, NM, AZ, UT, ID, NV, WA, OR, CA and AK and today still controls more than 50% of all lands in these states (more than 80% of the state of Nevada);

WHEREAS, The Supreme Court of the United States declared these enabling act contracts to be “solemn compacts” with enforceable rights and obligations on both sides;

WHEREAS, In 1976 the United States Congress ended its nearly two hundred year public policy of beneficially transferring ownership of public lands by passing the Federal Land Policy Management Act (FLPMA);

WHEREAS, Public lands previously held in trust for the individual states were managed for their resource value prior to the passage of FLPMA;

WHEREAS, After the passage of FLPMA our public lands are instead being managed perpetually for their conservation value;

WHEREAS, Local state and national economies are all being adversely impacted by the loss of use of the natural resources thus being managed;

WHEREAS, Payment in Lieu of Taxes (PILT), Secure Rural Schools (SRS), and other public offsets are financially inadequate, have been unreliably funded and do not adequately compensate the States for the breach of their Enabling Acts;

WHEREAS, The U.S. Supreme Court case *Hawaii v. Office of Hawaiian Affairs* speaks to the proposition that Congress cannot by subsequent, unilateral action alter or diminish the rights conferred upon a state in consequence of its admission to the Union;

WHEREAS, Under the guise of “sequestration” to cut federal expenses, the federal government is cutting western states’ revenues in the form of PILT, SRS and FML (Federal Mineral Lease) cutbacks;

WHEREAS, States east of Colorado pay billions each year to subsidize western states to not use their lands and resources to educate their own children and care for their own communities;

WHEREAS, Western states already manage millions of acres of state lands generating more revenue with less expense and less environmental damage in general than federally managed public lands;

WHEREAS, The National Association of Forest Service Retirees recently issued a paper describing the unsustainability of current federal forest management practices;

WHEREAS, The resulting increase in catastrophic wildfires is needlessly killing millions of animals and destroying habitat and watershed for decades;

WHEREAS, Western states are incurring inordinate expenses to suppress forest fires related to failed federal forest policies;

WHEREAS, The federal government discourages capital investment and job creation by taking 10 times longer to approve energy development permits than states where the federal government honored the promise to transfer title to the public lands;

WHEREAS, The Institute for Energy Research discovered in 2013 that there is more than \$150 trillion in mineral value locked up in federally controlled lands;

WHEREAS, Opening 8% of the coastal plain of ANWR in Alaska would provide billions of dollars to the Federal treasury, create more than 500,000 jobs nationwide and add between 9-16 billion barrels of oil to our nation’s supply;

WHEREAS, In 2012 the United States Government Accountability Office testified to Congress that there is more recoverable oil in UT, CO, and WY than the rest of the world combined locked up in federally controlled lands; and

WHEREAS, Legal analyses by the Sutherland Institute and The Federalist Society conclude that the intent of the parties, the text, and the context of the statehood enabling acts, obligate the federal government to dispose of public lands; now therefore be it

RESOLVED, That the Republican National Committee calls upon the federal government to honor to all willing western states the same statehood promise to transfer title to the public lands that it honored with all states east of Colorado; and

RESOLVED, That the Republican National Committee calls upon all national and state leaders and representatives to exert their utmost power and influence to urge the imminent transfer of public lands to all willing western states for the benefit of these western states and for the nation as a whole.

**As adopted by the Republican National Committee on January 24, 2014.*