

HR 3189

Water Rights Protection Act

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Water Resources Development

Introduced: Sep 26, 2013

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. (Mar 24, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/3189>

Sponsor

Name: Rep. Tipton, Scott R. [R-CO-3]

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

Cosponsors (15 total)

| Cosponsor | Party / State | Role | Date Joined |
|---|---------------|------|--------------|
| Rep. Amodei, Mark E. [R-NV-2] | R · NV | | Sep 26, 2013 |
| Rep. Bishop, Rob [R-UT-1] | R · UT | | Sep 26, 2013 |
| Rep. McClinton, Tom [R-CA-4] | R · CA | | Sep 26, 2013 |
| Rep. Polis, Jared [D-CO-2] | D · CO | | Sep 26, 2013 |
| Rep. Coffman, Mike [R-CO-6] | R · CO | | Sep 28, 2013 |
| Rep. Lummis, Cynthia M. [R-WY-At Large] | R · WY | | Sep 28, 2013 |
| Rep. Pearce, Stevan [R-NM-2] | R · NM | | Oct 11, 2013 |
| Rep. Simpson, Michael K. [R-ID-2] | R · ID | | Oct 11, 2013 |
| Rep. Matheson, Jim [D-UT-4] | D · UT | | Oct 12, 2013 |
| Rep. Stewart, Chris [R-UT-2] | R · UT | | Oct 12, 2013 |
| Rep. Chaffetz, Jason [R-UT-3] | R · UT | | Nov 12, 2013 |
| Rep. Cramer, Kevin [R-ND-At Large] | R · ND | | Nov 12, 2013 |
| Rep. Gosar, Paul A. [R-AZ-4] | R · AZ | | Nov 12, 2013 |
| Rep. Poe, Ted [R-TX-2] | R · TX | | Nov 19, 2013 |
| Rep. Gardner, Cory [R-CO-4] | R · CO | | Feb 27, 2014 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--|---------|-----------------|--------------|
| Agriculture Committee | House | Referred to | Oct 4, 2013 |
| Energy and Natural Resources Committee | Senate | Referred To | Mar 24, 2014 |
| Natural Resources Committee | House | Discharged from | Nov 14, 2013 |

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

| Bill | Relationship | Last Action |
|--------------|----------------|---|
| 113 HRES 515 | Related bill | Mar 13, 2014: Motion to reconsider laid on the table Agreed to without objection. |
| 113 S 1630 | Identical bill | Oct 31, 2013: Read twice and referred to the Committee on Energy and Natural Resources. |

Summary (as of Mar 13, 2014)

Water Rights Protection Act - Prohibits the Secretary of the Interior and the Secretary of Agriculture (USDA) from: (1) conditioning the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on the transfer of any water right (including joint or sole ownership) directly to the United States, or any impairment in title, in whole or in part, granted or recognized under state law, by federal or state adjudication, decree, or other judgment, or pursuant to any interstate water compact; and (2) requiring any water user (including any federally recognized Indian tribe) to apply for a water right in the name of the United States under state law as a condition of such a land use or occupancy agreement.

States that nothing in this Act shall: (1) limit or expand any existing authority of the Secretaries to condition any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on federal lands subject to their respective jurisdictions; (2) interfere with existing or future Bureau of Reclamation contracts; (3) affect the implementation of the Endangered Species Act of 1973; (4) limit or expand any existing federal reserved water rights on lands administered by the Secretary of the Interior or the Secretary of Agriculture; (5) limit or expand certain authorities under the Federal Power Act; and (6) limit or expand any existing reserved water right or treaty right of any federally recognized Indian tribe.

Actions Timeline

- **Mar 24, 2014:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Mar 13, 2014:** Considered under the provisions of rule H. Res. 515. (consideration: CR H2385-2401)
- **Mar 13, 2014:** The resolution provides for one hour of debate on H.R. 3189. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill and provides that it shall be considered as read. The rule provides for a closed rule for H.R. 4015 with one hour of debate on the bill.
- **Mar 13, 2014:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 515 and Rule XVIII.
- **Mar 13, 2014:** The Speaker designated the Honorable Virginia Foxx to act as Chairwoman of the Committee.
- **Mar 13, 2014:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 3189.
- **Mar 13, 2014:** DEBATE - Pursuant to the provisions of H.Res. 515, the Committee of the Whole proceeded with 10 minutes of debate on the Tipton Part A amendment no. 1.
- **Mar 13, 2014:** DEBATE - Pursuant to the provisions of H.Res. 515, the Committee of the Whole proceeded with 10 minutes of debate on the Mullin Part A amendment no. 2.
- **Mar 13, 2014:** DEBATE - Pursuant to the provisions of H.Res. 515, the Committee of the Whole proceeded with 10 minutes of debate on the Polis Part A amendment no. 3.
- **Mar 13, 2014:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Polis Part A substitute amendment No. 3, the Chair put the question on adoption of the amendment and by voice vote announced that the noes had prevailed. Mr. Polis demanded a recorded vote and the Chair postponed further proceedings on adoption of the amendment until later in the legislative day.
- **Mar 13, 2014:** Mr. Hastings (WA) moved that the Committee rise.
- **Mar 13, 2014:** On motion that the Committee rise Agreed to by voice vote.
- **Mar 13, 2014:** Committee of the Whole House on the state of the Union rises leaving H.R. 3189 as unfinished business.
- **Mar 13, 2014:** Considered as unfinished business. (consideration: CR H2405-2408)
- **Mar 13, 2014:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Mar 13, 2014:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question on adoption of an amendment which had been debated earlier and on which further proceedings had been postponed.
- **Mar 13, 2014:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 3189.
- **Mar 13, 2014:** 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 H2395-2396)
- **Mar 13, 2014:** Mrs. Kirkpatrick moved to recommit with instructions to Natural Resources. (consideration: CR H2406-2407; text: CR H2406)
- **Mar 13, 2014:** DEBATE - The House proceeded with 10 minutes of debate on the Kirkpatrick motion to recommit with instructions. The instructions contained in the motion seek to report the same back to the House forthwith with an amendment to clarify that nothing in the underlying legislation may prohibit the Secretary of the Interior or the Secretary of Agriculture from (1) protecting Tribal treaty rights; (2) preserving recreational fishing; (3) mitigating drought conditions in an area covered by an emergency drought declaration; or (4) facilitating fire suppression.
- **Mar 13, 2014:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H2407)
- **Mar 13, 2014:** On motion to recommit with instructions Failed by recorded vote: 183 - 227 (Roll no. 131). (consideration: CR H2407)
- **Mar 13, 2014:** Passed/agreed to in House: On passage Passed by recorded vote: 238 - 174 (Roll no. 132).
- **Mar 13, 2014:** On passage Passed by recorded vote: 238 - 174 (Roll no. 132).
- **Mar 13, 2014:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 13, 2014:** The title of the measure was amended. Agreed to without objection.
- **Mar 12, 2014:** Rules Committee Resolution H. Res. 515 Reported to House. The resolution provides for one hour of debate on H.R. 3189. The rule makes in order as original text for the purpose of amendment an amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill and provides that it shall be considered as read. The rule provides for a closed rule for H.R. 4015 with one hour of debate on the bill.

Mar 4, 2014: Reported (Amended) by the Committee on Natural Resources. H. Rept. 113-372, Part I.

- **Mar 4, 2014:** Committee on Agriculture discharged.
- **Mar 4, 2014:** Placed on the Union Calendar, Calendar No. 278.
- **Nov 14, 2013:** Subcommittee on Water and Power Discharged.
- **Nov 14, 2013:** Committee Consideration and Mark-up Session Held.
- **Nov 14, 2013:** Ordered to be Reported (Amended) by the Yeas and Nays: 19 - 14.
- **Oct 10, 2013:** Subcommittee Hearings Held.
- **Oct 4, 2013:** Referred to the Subcommittee on Conservation, Energy, and Forestry.
- **Oct 2, 2013:** Referred to the Subcommittee on Water and Power.
- **Sep 26, 2013:** Introduced in House
- **Sep 26, 2013:** Referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.