



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

March 12, 2014
(House Rules)

STATEMENT OF ADMINISTRATION POLICY

H.R. 3189 – Water Rights Protection Act
(Rep. Tipton, R-Colorado, and 15 cosponsors)

The Administration opposes H.R. 3189, which would prohibit the U.S. Department of the Interior (DOI) and the U.S. Department of Agriculture (USDA) from exerting some control over the exercise of water rights located on Federal lands. The bill threatens the Federal government's longstanding authority to manage property and claim proprietary rights for the benefit of Indian tribes and reserved Federal lands, and the broader public that depends on the proper management of public lands and resources. It adversely affects DOI's and USDA's ability to manage water resources to: (1) protect ongoing public lands uses and the environment; (2) allow for maximum beneficial use of Federal water facilities; and (3) ensure adequate water is available for fisheries or threatened or endangered species.

H.R. 3189 is overly broad and could have numerous unintended consequences. For example, the bill could impede private water rights holders from entering into voluntary agreements with Federal agencies, which benefit State, Federal, and private water rights holders' interests and improve water resource management.

The bill was introduced, in part, to address the U.S. Forest Service's ski area water rights clause proposal, which the Forest Service has changed in response to public feedback and will soon be publishing. The Administration looks forward to working with Congress to address any remaining concerns regarding the ski area water rights proposal after its publication and to developing legislation that maintains the Federal government's interest in protecting public lands and waters, allows for the continuance of voluntary agreements between the Federal government and other water rights holders, and ensures adequate protection of the environment.

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