

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 2130) TO PROVIDE
LEGAL CERTAINTY TO PROPERTY OWNERS ALONG THE RED RIVER IN
TEXAS, AND FOR OTHER PURPOSES, AND PROVIDING FOR CONSIDER-
ATION OF MOTIONS TO SUSPEND THE RULES

DECEMBER 8, 2015.—Referred to the House Calendar and ordered to be printed

Mr. NEWHOUSE, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 556]

The Committee on Rules, having had under consideration House Resolution 556, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 2130, the Red River Private Property Protection Act, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. The resolution waives all points of order against consideration of the bill. The resolution makes in order as original text for the purpose of amendment the 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 resolution waives all points of order against that amendment in the nature of a substitute. The resolution makes in order only those further amendments printed in this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides that it shall be in order at any time through the calendar day of December 13, 2015, for the

Speaker to entertain motions that the House suspend the rules and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of the bill, the Committee is not aware of any points of order. The waiver of all points of order prophylactic in nature.

Although the resolution waives all points of order against provisions in the amendment in the nature of a substitute made in order as original text, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against amendments printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 129

Motion by Ms. Slaughter to provide that the Committee add a section to the rule that provides for the consideration of H.R. 1076, the Denying Firearms and Explosives to Dangerous Terrorists Act of 2015, under an open rule. Defeated: 4–9

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Nay	Ms. Slaughter	Yea
Mr. Cole	Nay	Mr. McGovern	Yea
Mr. Woodall	Nay	Mr. Hastings of Florida	Yea
Mr. Burgess	Nay	Mr. Polis	Yea
Mr. Stivers	Nay		
Mr. Collins	Nay		
Mr. Byrne	Nay		
Mr. Newhouse	Nay		
Mr. Sessions, Chairman	Nay		

SUMMARY OF THE AMENDMENTS MADE IN ORDER

1. Bishop, Rob (UT): MANAGER'S Ensures that nothing in the bill would create or reinstate a tribal reservation or any portion of a tribal reservation; ensures that nothing in the bill will alter the valid rights of the Kiowa, Comanche, and Apache Nations to the mineral interest trust fund created pursuant to the Act of June 12, 1926; allows for the affected federally recognized Indian tribes to be a part of the survey process; and allows for further judicial review after the administrative appeals process for landowners. (10 minutes)

2. Cole (OK): Ensures the bill preserves past and current surface and mineral rights for affected Indian tribes. (10 minutes)

TEXT OF AMENDMENTS MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE BISHOP OF UTAH OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 12, insert “and seek further judicial review” after “appeal”.

Page 5, line 18, strike “Not” and insert the following:

(a) APPEAL TO ADMINISTRATIVE LAW JUDGE.—Not

Page 5, after line 23, insert the following:

(b) FURTHER JUDICIAL REVIEW.—

(1) IN GENERAL.—A landowner who filed an appeal under subsection (a) and is adversely affected by the final decision may, not later than 120 days after the date of the final decision, file a civil action in the United States district court for the district—

(A) in which the person resides; or

(B) in which the affected area is located.

(2) STANDARD OF REVIEW.—The district court may review the case de novo and may enter a judgment enforcing, modifying, and enforcing as so modified, or setting aside in whole or in part, the decision of the administrative law judge.

Page 6, line 8, insert “or further judicial review” after “appeal”.

Page 6, line 9, insert “OR JUDICIAL REVIEW” after “APPEAL”.

Page 6, line 11, insert “or judicial review” after “appeal”.

Page 6, line 20, insert “OR JUDICIAL REVIEW” after “APPEAL”.

Page 6, line 21, insert “or further judicial review” after “appeal”.

Page 6, line 23, insert “or judicial reviews” after “appeals”.

Page 6, line 25, insert “or further judicial review” after “appeal”.

Page 9, line 14, insert “or further judicial review” after “appeal”.

Page 11, after line 20, insert the following:

(d) TRIBAL RESERVATIONS.—Nothing in this Act shall be construed to create or reinstate a tribal reservation or any portion of a tribal reservation.

(e) TRIBAL MINERAL INTERESTS.—Nothing in this Act shall be construed to alter the valid rights of the Kiowa, Comanche, and Apache Nations to the mineral interest trust fund created pursuant to the Act of June 12, 1926.

Insert “and each affected federally recognized Indian tribe” after “Oklahoma Commissioners of the Land Office” each place it appears.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE COLE OF OKLAHOMA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 6, line 13, strike “landowners” and insert “federally recognized Indian tribes with jurisdiction over lands”.

Page 7, lines 8 and 9, strike “or deed or color of title”.

Page 7, line 11, strike “\$1.25” and insert “fair market value”.

Page 8, after line 7, insert the following (and redesignate the subsequent clauses accordingly):

(i) the federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, with the first right of refusal;

Page 8, line 9, strike “first” and insert “second”.

Page 8, line 13, strike "second" and insert "third".

Page 8, line 15, strike "third" and insert "fourth".

Page 8, line 18, strike "fourth" and insert "fifth".

Page 8, after line 22, insert the following (and redesignate the subsequent clauses accordingly):

(i) the federally recognized Indian tribes holding reservation or allotment land on June 5, 1906, with the first right of refusal;

Page 8, line 24, strike "first" and insert "second".

Page 9, line 3, strike "second" and insert "third".

Page 9, line 5, strike "third" and insert "fourth".

Page 9, line 8, strike "fourth" and insert "fifth".

Page 11, after line 20, insert the following:

(d) TRIBAL ALLOTMENTS.—Nothing in this Act shall be construed to alter the present median line of the Red River as it relates to the surface or mineral interests of tribal allottees north of the present median line.