

Union Calendar No. 669

114TH CONGRESS
2^D SESSION

H. R. 3062

[Report No. 114–856, Part I]

To prohibit the use of eminent domain in carrying out certain projects.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 2015

Mr. WOMACK (for himself, Mr. HILL, Mr. CRAWFORD, and Mr. WESTERMAN)
introduced the following bill; which was referred to the Committee on
Natural Resources

DECEMBER 8, 2016

Reported and referred to the Committee on Energy and Commerce for a pe-
riod ending not later than December 8, 2016, for consideration of such
provisions of the bill as fall within the jurisdiction of that committee pur-
suant to clause 1(f) of rule X

DECEMBER 8, 2016

The Committee on Energy and Commerce discharged; committed to the Com-
mittee of the Whole House on the State of the Union and ordered to be
printed

A BILL

To prohibit the use of eminent domain in carrying out
certain projects.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Assuring Private Prop-
5 erty Rights Over Vast Access to Land Act” or the “AP-
6 PROVAL Act”.

7 **SEC. 2. PROHIBITION ON EMINENT DOMAIN FOR CERTAIN**
8 **PROJECTS.**

9 Section 1222 of the Energy Policy Act of 2005 (42
10 U.S.C. 16421) is amended—

11 (1) by redesignating subsections (d) through (g)
12 as subsections (f) through (i), respectively; and

13 (2) by inserting after subsection (c) the fol-
14 lowing:

15 “(d) PROHIBITION ON EMINENT DOMAIN.—Notwith-
16 standing any other provision of law (including regula-
17 tions), the Secretary, SWPA, and WAPA may not carry
18 out any Project under this section through the use of emi-
19 nent domain, unless the use of eminent domain is explic-
20 itly authorized by—

21 “(1) the Governor and the head of each applica-
22 ble public utility commission or public service com-
23 mission of the affected State; and

24 “(2) the head of the governing body of each In-
25 dian tribe the land of which would be affected.

1 “(e) SITING REQUIREMENT.—To the maximum ex-
2 tent practicable, a Project carried out under this section
3 shall be sited on—

4 “(1) an existing Federal right-of-way; or

5 “(2) Federal land managed by—

6 “(A) the Bureau of Land Management;

7 “(B) the Forest Service;

8 “(C) the Bureau of Reclamation; or

9 “(D) the Corps of Engineers.”.

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