

103^D CONGRESS
2^D SESSION

S. 2549

To amend the National Trails System Act to expand Federal authority relating to land acquisition for the majority of the trails, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 7 (legislative day, SEPTEMBER 12), 1994

Mr. LEVIN (for himself, Mr. DURENBERGER, Mr. GRAHAM, Mr. BINGAMAN, Mr. KOHL, and Mr. FEINGOLD) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the National Trails System Act to expand Federal authority relating to land acquisition for the majority of the trails, and for other purposes.

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 “National Trails System
5 Act Amendments of 1994”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) In spite of commendable efforts by the gov-
2 ernments of States and political subdivisions of
3 States and private volunteer trail groups to develop,
4 operate, and maintain the national scenic and na-
5 tional historic trails (referred to in this Act as the
6 “trails”), the rate of progress towards developing
7 and completing the trails is slower than anticipated.

8 (2) If the necessary rights-of-way for the trails
9 cannot be secured, major revisions or relocations of
10 the routes for the trails could become necessary.

11 (3) The multijurisdictional nature of govern-
12 mental authority concerning the protection of lands
13 associated with the trails—

14 (A) has hindered the ability of appropriate
15 officials to respond to opportunities to ensure
16 the protection of necessary rights-of way; and

17 (B) has resulted in confusion concerning
18 the extent of the administrative responsibilities
19 of the Federal Government with respect to the
20 trails.

21 **SEC. 3. SENSE OF CONGRESS.**

22 It is the sense of Congress that in order to address
23 the problems referred to in section 2(3), the head of each
24 Federal agency with jurisdiction over the trails should—

1 (1) cooperate with appropriate officials of
2 States and political subdivisions of States and pri-
3 vate persons with an interest in the trails to pursue
4 the development of the trails; and

5 (2) be granted sufficient authority to protect
6 lands that are critical to the completion of the trails
7 and exercise such authority.

8 **SEC. 4. AMENDMENTS TO THE NATIONAL TRAILS SYSTEM**
9 **ACT.**

10 The National Trails System Act (16 U.S.C. 1241 et
11 seq.) is amended—

12 (1) in section 5(a)—

13 (A) in the fourth sentence of paragraph
14 (11)—

15 (i) by striking out “No lands or inter-
16 est therein outside the exterior” and in-
17 serting in lieu thereof “No land or interest
18 in land outside of the exterior”; and

19 (ii) by inserting before the period the
20 following: “without the consent of the
21 owner of the land or interest”; and

22 (B) in the fourth sentence of paragraph
23 (14)—

24 (i) by striking out “No lands or inter-
25 ests therein outside the exterior” and in-

1 serting in lieu thereof “No land or interest
2 in land outside of the exterior”; and

3 (ii) by inserting before the period the
4 following: “without the consent of the
5 owner of the land or interest”; and

6 (2) in section 10(c), by striking out paragraph
7 (1) and inserting in lieu thereof the following new
8 paragraph:

9 “(c)(1) There are authorized to be appropriated such
10 sums as may be necessary to implement the provisions of
11 this Act relating to the trails designated under paragraphs
12 (3) through (10) of section 5(a). Notwithstanding any
13 other provision of law (including any other provision of
14 this Act), no funds may be expended by the Federal Gov-
15 ernment for the acquisition of any land or interest in land
16 outside of the exterior boundaries of existing Federal
17 lands for the Continental Divide National Scenic Trail, the
18 North Country National Scenic Trail, the Ice Age Na-
19 tional Scenic Trail, the Oregon National Historic Trail,
20 the Mormon Pioneer National Historic Trail, the Lewis
21 and Clark National Historic Trail, or the Iditarod Na-
22 tional Historic Trail (including the acquisition of land or
23 an interest in the land for the purpose of providing for

- 1 a trail interpretation site described in section 7(c)), except
- 2 with the consent of the owner of the land or interest.”.

