

109TH CONGRESS
1ST SESSION

H. R. 1261

To amend the National Trails System Act to improve the efficiency and fairness of acquiring railroad rights-of-way for interim use as public trails by applying the procedures applicable to other Federal real estate acquisitions.

IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2005

Mr. RYUN of Kansas introduced the following bill; which was referred to the Committee on Resources

A BILL

To amend the National Trails System Act to improve the efficiency and fairness of acquiring railroad rights-of-way for interim use as public trails by applying the procedures applicable to other Federal real estate acquisitions.

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. CONVEYANCE OF RAILROAD RIGHTS-OF-WAY**

4 **FOR INTERIM USE AS PUBLIC TRAILS.**

5 (a) FAIR ACQUISITION PROCEDURES.—Section 8(d)

6 of the National Trails System Act (16 U.S.C. 1247(d))

7 is amended—

1 (1) by inserting “(1)” after “(d)”; and

2 (2) by adding at the end the following new
3 paragraph:

4 “(2) In the case of any donation, transfer, lease, sale,
5 or other conveyance of a railroad right-of-way for interim
6 use described in paragraph (1), the interim use of the
7 right-of-way shall not begin until the payment or deposit
8 of compensation to each of the owners of the land under-
9 lying the right-of-way has been made—

10 “(A) in accordance with—

11 “(i) section 301 of the Uniform Relocation
12 Assistance and Real Property Acquisition Poli-
13 cies Act of 1970 (42 U.S.C. 4651); and

14 “(ii) sections 3113 and 3114 of title 40,
15 United States Code; or

16 “(B) pursuant to the order of a court of com-
17 petent jurisdiction in a condemnation proceeding
18 consistent with such sections.”.

19 (b) EFFECTIVE DATE.—Paragraph (2) of section
20 8(d) of the National Trails System Act, as added by sub-
21 section (a), shall apply only to the interim use of railroad
22 rights-of-way pursuant to donations, transfers, leases,
23 sales, or other conveyances described in such section that

1 are entered into on or after the date of the enactment of
2 this Act.

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