

Calendar No. 399

103^D CONGRESS
2^D SESSION

S. 859

[Report No. 103-245]

A BILL

To reduce the restrictions on lands conveyed by deed under the Act of June 8, 1926.

APRIL 5, 1994

Reported under authority of the order of the Senate of March 22 (legislative day, February 22), 1994, with an amendment

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IN THE SENATE OF THE UNITED STATES

APRIL 30 (legislative day, APRIL 19), 1993

Mr. HATCH (for himself and Mr. BENNETT) introduced the following bill;
which was read twice and referred to the Committee on Energy and Nat-
ural Resources

APRIL 5, 1994

Reported under authority of the order of the Senate of March 22 (legislative
day, February 22), 1994, by Mr. JOHNSTON, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To reduce the restrictions on lands conveyed by deed under
the Act of June 8, 1926.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That ~~section 2 of the Act of June 8, 1926 (ch. 498; 44~~
4 ~~Stat. 708), is amended by striking "States" at the end~~
5 ~~of the first sentence and inserting in lieu thereof the fol-~~

1 lowing: “States, except that these restrictions on convey-
2 ances and uses shall not apply to those lands upon which
3 communications facilities were located as of January 1,
4 1993, or prevent reasonable ingress and egress for the re-
5 pair, maintenance, expansion, or improvement of such fa-
6 cilities, nor shall these restrictions on conveyances and
7 uses prohibit the use of the lands described in the first
8 section of this Act for recreational purposes so long as
9 such recreational use is consistent both with the protection
10 of the watershed and water supply system of the City and
11 with the management objectives for adjacent National
12 Forest System lands”.

13 *That section 2 of the Act of June 8, 1926 (ch. 498; 44 Stat.*
14 *708), is amended by—*

15 *(a) inserting “(a)” before “The conveyance”;*

16 *(b) striking “States.” at the end of the first sen-*
17 *tence and inserting in lieu thereof “States, except that*
18 *such restrictions on conveyances and uses shall not*
19 *apply to those lands upon which communication fa-*
20 *cilities were located as of January 1, 1993.”; and*

21 *(c) adding at the end thereof the following new*
22 *subsections:*

23 *“(b) Reasonable access for the repair, maintenance, or*
24 *improvement of the communication facilities referred to in*
25 *subsection (a) shall be allowed: Provided, That the granting*

1 *of such access shall not be construed to require the Forest*
2 *Service to upgrade the condition of the access route beyond*
3 *the condition as of the date of enactment of the Act.*

4 “(c) *Recreational activities on the lands identified in*
5 *section 1, totaling approximately one thousand four hun-*
6 *dred and forty acres, may be allowed so long as such rec-*
7 *reational use is consistent both with the protection of the*
8 *watershed and water supply system of the city and with*
9 *the management objectives for adjacent National Forest*
10 *System lands.”*