

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> 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.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 10, 2005

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

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## 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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