

XVIII. NATIONAL TRAILS SYSTEM

1. California

PUBLIC LAW 98-405—AUG. 28, 1984

98 STAT. 1483

Public Law 98-405
98th Congress

An Act

To amend the National Trails System Act by adding the California Trail to the study list, and for other purposes.

Aug. 28, 1984
[H.R. 3787]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end thereof the following new paragraph:

97 Stat. 44.

“(30) Pony Express Trail, extending from Saint Joseph, Missouri, through Kansas, Nebraska, Colorado, Wyoming, Utah, Nevada, to Sacramento, California, as indicated on a map labeled ‘Potential Pony Express Trail’, dated October 1983 and the California Trail, extending from the vicinity of Omaha, Nebraska, and Saint Joseph, Missouri, to various points in California, as indicated on a map labeled ‘Potential California Trail’ and dated August 1, 1983. Notwithstanding subsection (b) of this section, the study under this paragraph shall be completed and submitted to the Congress no later than the end of two complete fiscal years beginning after the date of the enactment of this paragraph. Such study shall be separated into two portions, one relating to the Pony Express Trail and one relating to the California Trail.”.

Study,
Pony Express
Trail.

* * * * *

Approved August 28, 1984.

98 STAT. 1484

LEGISLATIVE HISTORY—H.R. 3787:
HOUSE REPORT No. 98-719 (Comm. on Interior and Insular Affairs.)
SENATE REPORT No. 98-557 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 130 (1984):
Apr. 30, May 1, considered and passed House.
Aug. 9, considered and passed Senate.

2. Daniel Boone Heritage

98 STAT. 1483

PUBLIC LAW 98-405—AUG. 28, 1984

Public Law 98-405
98th Congress

An Act

Aug. 28, 1984
[H.R. 3787]

To amend the National Trails System Act by adding the California Trail to the study list, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

Daniel Boone
Heritage Trail.

SEC. 2. (a) Recognition should be given to the regional significance of the contributions of Daniel Boone in the exploration and settlement of the Nation to assure that a wider segment of the public be afforded the opportunity to share in Boone's contributions to America's heritage through establishment of markings of a Daniel Boone Heritage Trail.

(b) In order that significant route segments and sites, recognized as associated with Daniel Boone may be distinguished by suitable markers, the Secretary of the Interior is authorized to accept the donations of such suitable markers for placement at appropriate locations on lands administered by the Secretary of the Interior, and with the concurrence of the Secretary of Agriculture and other appropriate heads of Federal agencies, on lands under their jurisdiction. The determination of the placement of markers to commemorate the routes and sites of Daniel Boone shall be made by the Secretary of the Interior in consultation with appropriate private interests and affected local and State governments.

98 STAT. 1484

(c) The markers authorized by subsection (b) shall be placed in association with the Daniel Boone Trail identified on maps contained in the study entitled "Final National Trail Study, August, 1983, Daniel Boone" and submitted to the Congress pursuant to the provisions of section 5 of the National Trails Systems Act (16 U.S.C. 1244).

* * * * *

Approved August 28, 1984.

LEGISLATIVE HISTORY—H.R. 3787:

HOUSE REPORT No. 98-719 (Comm. on Interior and Insular Affairs.)
SENATE REPORT No. 98-557 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 130 (1984):

Apr. 30, May 1, considered and passed House
Aug. 9, considered and passed Senate.

3. Florida National Scenic

PUBLIC LAW 98-11—MAR. 28, 1983

97 STAT. 42

Public Law 98-11
98th Congress

An Act

To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes.

Mar. 28, 1983
[S. 271]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *
TITLE II—AMENDMENTS TO THE NATIONAL TRAILS SYSTEM ACT

National Trails System Act, Amendments of 1983.

* * * * *
SEC. 205. (a) Section 5(a) of the National Trails System Act is amended by adding at the end thereof the following:

97 STAT. 43
16 USC 1244.

* * * * *
“(13) The Florida National Scenic Trail, a route of approximately thirteen hundred miles extending through the State of Florida as generally depicted in The Florida Trail’, a national scenic trail study draft report Prepared by the Department of the Interior and dated February 1980. The report shall be on file and available for public inspection in the office of the Chief of the Forest Service, Washington, District of Columbia. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Florida Trail except with the consent of the owner thereof. The Secretary of Agriculture may designate lands outside of federally administered areas as segments of the trail, only upon application from the States or local governmental agencies involved, if such segments meet the criteria established in this Act and are administered by such agencies without expense to the United States. The trail shall be administered by the Secretary of Agriculture.”

97 STAT. 44
Florida National Scenic Trail.

Report; public Availability.

* * * * *
Approved March 28, 1983.

97 STAT. 52

LEGISLATIVE HISTORY—S. 271:
HOUSE REPORT No. 9-28 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-1 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 129 (1983):
Feb. 3, considered and passed Senate.
Mar. 15, considered and passed House.

4. Ice Age National Scenic

94 STAT. 1360

PUBLIC LAW 96-370—OCT. 3, 1980

Public Law 96-370
96th Congress

An Act

Oct. 3, 1980
[H.R. 7825]

To establish the Ice Age National Scenic Trail, and for other purposes.

Ice Age National
Scenic Trail,
establishment.

16 USC 1244.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National Trails System Act (82 Stat. 919; 16 U.S.C. 1241), as amended, is further amended as follows:

(a) Section 5(a) is amended by adding the following new paragraph at the end thereof:

“(10) The Ice Age National Scenic Trail, a trail of approximately one thousand miles, extending from Door County, Wisconsin, to Interstate Park in Saint Croix County, Wisconsin, generally following the route described in “On the Trail of the Ice Age—A Hiker’s and Biker’s Guide to Wisconsin’s Ice Age National Scientific Reserve and Trail”, by Henry S. Reuss, Member of Congress, dated 1980. The guide and maps shall be on file and available for public inspection in the Office of the Director, National Park Service, Washington, District of Columbia. Overall administration of the trail shall be the responsibility of the Secretary of the Interior pursuant to section 5(d) of this Act. The State of Wisconsin, in consultation with the Secretary of the Interior, may, subject to the approval of the Secretary, prepare a plan for the management of the trail which shall be deemed to meet the requirements of section 5(e) of this Act. Notwithstanding the provisions of section 7(c), snowmobile use may be permitted on segments of the Ice Age National Scenic Trail where deemed appropriate by the Secretary and the managing authority responsible for the segment.”.

Ante, p. 68.
16 USC 1249.

(b) Section 10(c) is amended by changing “(7), and (8):” to “(7), (8), (9), and (10):”, and by inserting “The Ice Age National Scenic Trail,” after the phrase “North Country National Scenic Trail.”.

Authorizations,
effective date.
16 USC 1249
note.

SEC. 2. Authorizations of moneys to be appropriated under this Act shall be effective on October 1, 1981. Notwithstanding any other provision of this Act, authority to enter into contracts, to incur obligations, or to make payments under this Act shall be effective only to the extent, and in such amounts, as are provided in advance in appropriation Acts.

Approved October 3, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1314 (Comm. on Interior and Insular Affairs).

CONGRESSIONAL RECORD, Vol. 126 (1980):

Sept. 16, considered and passed House.

Sept. 18, considered and passed Senate.

5. Illinois (Study)

PUBLIC LAW 98-11—MAR. 28, 1983

97 STAT. 42

Public Law 98-11
98th Congress

An Act

To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes.

Mar. 28, 1983
[S. 271]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *
TITLE II—AMENDMENTS TO THE NATIONAL TRAILS SYSTEM ACT

National Trails System Act, Amendments of 1983.

* * * * *
SEC. 205. (c) Section 5(c) of the National Trails System Act is amended—

97 STAT. 44

- (1) in paragraph (9), by striking out “Sante Fe” and inserting in lieu thereof “Santa Fe”; and
- (2) by adding after paragraph (23) the following:

* * * * *

“(26) Illinois Trail, extending from the Lewis and Clark Trail at Wood River, Illinois, to the Chicago Portage National Historic Site, generally following the Illinois River and the Illinois and Michigan Canal.

* * * * *

Approved March 28, 1983.

97 STAT. 52

LEGISLATIVE HISTORY—S. 271:
HOUSE REPORT No. 9-28 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-1 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 129 (1983):
Feb. 3, considered and passed Senate.
Mar. 15, considered and passed House.

6. Juan Bautista de Anza

97 STAT. 42

PUBLIC LAW 98-11—MAR. 28, 1983

Public Law 98-11
98th Congress

An Act

Mar. 28, 1983
[S. 271]

To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

National Trails System Act Amendments of 1983.

TITLE II—AMENDMENTS TO THE NATIONAL TRAILS SYSTEM ACT

* * * * *

97 STAT. 44

SEC. 205. (c) Section 5(c) of the National Trails System Act is amended—

(1) in paragraph (9), by striking out “Sante Fe” and inserting in lieu thereof “Santa Fe”; and

(2) by adding after paragraph (23) the following:

“(24) Juan Bautista de Anza Trail, following the overland route taken by Juan Bautista de Anza in connection with his travels from the United Mexican States to San Francisco, California.

* * * * *

97 STAT. 52

Approved March 28, 1983.

LEGISLATIVE HISTORY—S. 271:
HOUSE REPORT No. 9-28 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-1 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 129 (1983):
Feb. 3, considered and passed Senate.
Mar. 15. Considered and passed House.

7. Natchez Trace National Scenic

PUBLIC LAW 98-11—MAR. 28, 1983

97 STAT. 42

Public Law 98-11
98th Congress

An Act

To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes.

Mar. 28, 1983
[S. 271]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *
TITLE II—AMENDMENTS TO THE NATIONAL TRAILS SYSTEM ACT

National Trails System Act, Amendments of 1983.

* * * * *
SEC. 205. (a) Section 5(a) of the National Trails System Act is amended by adding at the end thereof the following:

97 STAT. 43
16 USC 1244.

* * * * *
“(12) The Natchez Trace National Scenic Trail, a trail system of approximately six hundred and ninety-four miles extending from Nashville, Tennessee, to Natchez, Mississippi, as depicted on the map entitled ‘Concept Plan, Natchez Trace Trails Study’ in ‘The Natchez Trace’, a report prepared by the Department of the Interior and dated August 1979. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.

97 STAT. 44
Natchez Trace National Scenic Trail.

Map; public availability.

* * * * *
Approved March 28, 1983.

97 STAT. 52

LEGISLATIVE HISTORY—S. 271:
HOUSE REPORT No. 9-28 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-1 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 129 (1983):
Feb. 3, considered and passed Senate.
Mar. 15. Considered and passed House.

8. National Trails System Generic Amendments

93 STAT. 664

PUBLIC LAW 96-87—OCT. 12, 1979

Public Law 96-87
96th Congress

An Act

Oct. 12, 1979
[H.R. 5419]

To authorize the Secretary of the Interior to provide for the commemoration of the efforts of Goodloe Byron to protect the Appalachian Trail and for other purposes.

National Parks
and recreational
lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

93 STAT. 665

TITLE IV

SEC. 401. The National Parks and Recreation Act of 1978, approved November 10, 1978 (92 Stat. 3467), is amended as follows:

National Park
System.

* * * * *

(m) Section 551, re: the National Trails System Act, is amended by—

93 STAT. 666

- (1) in paragraph (13), change “(20)” to “(23)”;
- (2) in paragraph (18), insert quotation marks at the beginning and end of the second sentence; and
- (3) in paragraph (21), insert quotation marks at the beginning and end of the second sentence.

92 Stat. 3514.
16 USC 1244.
92 Stat. 3516.
16 USC 1246.

* * * * *

93 STAT. 667

Approved October 12, 1979.

LEGISLATIVE HISTORY:

CONGRESSIONAL RECORDS Vol. 125 (1979):

Sept. 27, considered and passed House.

Oct. 1, considered and passed Senate, amended.

Oct. 9, House concurred in certain Senate amendments and in another with an amendment.

Oct. 11, Senate concurred in House amendment.

Public Law 98-11
98th Congress

An Act

To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes.

Mar. 28, 1983
[S. 271]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

TITLE II—AMENDMENTS TO THE NATIONAL TRAILS SYSTEM ACT

National Trails System Act, Amendments of 1983. 16 USC 1241 note.

SEC. 201. This title may be cited as the "National Trails System Act Amendments of 1983".

SEC. 202. Section 2 of the National Trails System Act (82 Stat. 919; 16 U.S.C.1241 et seq.) is amended—

- (1) in subsection (b) by striking out "the purpose" and inserting in lieu thereof "The purpose"; and
- (2) by adding at the end thereof the following new subsection:

"(c) The Congress recognizes the valuable contributions that volunteers and private, nonprofit trail groups have made to the development and maintenance of the Nations trails. In recognition of these contributions, it is further the purpose of this Act to encourage and assist volunteer citizen involvement in the planning, development, maintenance, and management, where appropriate, of trails."

SEC. 203. Section 3 of the National Trails System Act is amended—

16 USC 1242.

- (1) by striking out "composed of—" and inserting in lieu thereof "composed of the following:";
- (2) by redesignating paragraphs (a) through (d) as paragraphs (1) through (4), respectively, and by inserting "(a)" after "SEC. 3.";
- (3) in paragraph (2) of subsection (a) (as so redesignated), by adding at the end thereof the following: "National scenic trails may be located so as to represent desert, marsh, grassland, mountain, canyon, river, forest, and other areas, as well as landforms which exhibit significant characteristics of the physiographic regions of the Nation.";
- (4) in the fourth sentence of paragraph (3) of subsection (a) (as so redesignated), by striking out "Act, are established as initial" and inserting in lieu thereof "Act are included as";
- (5) in the fifth sentence of paragraph (3) of subsection (a) (as so redesignated), by striking out "subsequently"; and
- (6) by adding at the end thereof the following new subsections:

97 STAT. 43

97 STAT. 43

PUBLIC LAW 98-11—MAR. 28, 1983

“Extended trails.”

“(b) For purposes of this section, the term ‘extended trails’ means trails or trail segments which total at least one hundred miles in length, except that historic trails of less than one hundred miles may be designated as extended trails. While it is desirable that extended trails be continuous, studies of such trails may conclude that it is feasible to propose one or more tray segments which, in the aggregate, constitute at least one hundred miles in length.

Plan submittal.

“(c) On October 1, 1982, and at the beginning of each odd numbered fiscal year thereafter, the Secretary of the Interior shall submit to the Speaker of the United States House of Representatives and to the President of the United States Senate, an initial and revised (respectively) National Trails System plan. Such comprehensive plan shall indicate the scope and extent of a completed nationwide system of trails, to include (1) desirable nationally significant scenic and historic components which are considered necessary to complete a comprehensive national system, and (2) other trails which would balance out a complete and comprehensive nationwide system of trails. Such plan, and the periodic revisions thereto, shall be prepared in full consultation with the Secretary of Agriculture, the Governors of the various States, and the trails community.”

16 USC 1243.

SEC. 204. Section 4(b) of the National Trails System Act is amended—

(1) in clauses (i) and (ii) by striking out “Secretary of the Interior” and inserting in lieu thereof “appropriate Secretary”;

(2) in clause (i), by striking out “agencies, and” and inserting in lieu thereof “agencies;”;

(3) in clause (ii), by striking out the period at the end thereof and inserting in lieu thereof “; and”; and

(4) by adding at the end thereof the following:

“(iii) trails on privately owned lands may be designated National Recreation Trails’ by the appropriate Secretary with the written consent of the owner of the property involved.”

* * * * *

97 STAT. 44
16 USC 1244.

SEC. 205. (b) Section 5(b) of the National Trails System Act is amended—

(1) by inserting after the second sentence the following: “The feasibility of designating a trail shall be determined on the basis of an evaluation of whether or not it is physically possible to develop a trail along a route being studied, and whether the development of a trail would be financially feasible.”;

(2) in paragraph (b)(3), by inserting “16” before “U.S.C.”; and

(3) in paragraph (b)(11)(B) by inserting the word “exploration,” after “commerce,” in the first sentence.

* * * * *

PUBLIC LAW 98-11—MAR. 28, 1983

97 STAT. 45

16 USC 1244.

(d) Section 5(d) of the National Trails System Act is amended—
 (1) by inserting after the first sentence the following: "If the appropriate Secretary is unable to establish such an advisory council because of the lack of adequate public interest, the Secretary shall so advise the appropriate committees of the Congress."; and

(2) by redesignating paragraphs (i) through (iv) as paragraphs (1) through (4), respectively, and by amending paragraph (1) (as so redesignated) to read as follows:

"(1) the head of each Federal department or independent agency administering lands through which the trail route passes, or his designee;";

(e) Section 5(f) of the National Trails System Act is amended—

(1) in paragraph (1), by striking out "national recreational" and inserting in lieu thereof "national historic", and by striking out "and" after the semicolon;

(2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof a semicolon; and

(3) by adding at the end thereof the following:

"(3) a protection plan for any high potential historic sites or high potential route segments; and

"(4) general and site-specific development plans, including anticipated costs.".

SEC. 206. Section 6 of the National Trails System Act is amended— 16 USC 1245.

(1) in the first sentence, by inserting "by the appropriate Secretary" after "marked"; and

(2) by striking out "*Provided*" and all that follows through the period and inserting in lieu thereof the following: "or, where the appropriate Secretary deems necessary or desirable, on privately owned lands with the consent of the landowner. Applications for approval and designation of connecting and side trails on non-Federal lands shall be submitted to the appropriate Secretary.".

SEC. 207. (a) Section 7 of the National Trails System Act is amended— 16 USC 1246.

(1) by striking out "SEC. 7. (a)" and inserting in lieu thereof "(2)"; and

(2) by inserting the following immediately after the section heading:

"SEC. 7. (a)(1)(A) The Secretary charged with the overall administration of a trail pursuant to section 5(a) shall, in administering and managing the trail, consult with the heads of all other affected State and Federal agencies. Nothing contained in this Act shall be deemed to transfer among Federal agencies any management responsibilities established under any other law for federally administered lands which are components of the National Trails System. Any transfer of management responsibilities may be carried out between

Ante, p. 43.

97 STAT. 46

the Secretary of the Interior and the Secretary of Agriculture only as provided under subparagraph (B).

Management
transference,
procedure.
Ante, p. 43.

(B) The Secretary charged with the overall administration of any trail pursuant to section 5(a) may transfer management of any specified trail segment of such trail to the other appropriate Secretary pursuant to a joint memorandum of agreement containing such terms and conditions as the Secretaries consider most appropriate to accomplish the purposes of this Act. During any period in which management responsibilities for any trail segment are transferred under such an agreement, the management of any such segment shall be subject to the laws, rules, and regulations of the Secretary provided with the management authority under the agreement, except to such extent as the agreement may otherwise expressly provide.”;

(3) in the first sentence of paragraph (2) of this subsection

(a) (as redesignated by paragraph (1) of this subsection), by striking out “thereof”, and inserting in lieu thereof “of the availability of appropriate maps or descriptions”, and striking out “, together with appropriate maps and descriptions”.

(b) Section 7(b) is amended—

16 USC 1246.

(1) by inserting “of the availability of appropriate maps or descriptions” after “notice”; and

(2) by striking out “together with appropriate maps and descriptions.”.

Trail
interpretation
sites.

(c) Section 7(c) is amended by adding at the end thereof the following: “The appropriate Secretary may also provide for trail interpretation sites, which shall be located at historic sites along the route of any national scenic or national historic trail, in order to present information to the public about the trail, at the lowest possible cost, with emphasis on the portion of the trail passing through the State in which the site is located. Wherever possible, the sites shall be maintained by a State agency under a cooperative agreement between the appropriate Secretary and the State agency.”.

(d) Section 7(e) of the National Trails System Act is amended by—

16 USC 1246.

(1) deleting reference in the first sentence to “subsection (g)” and substituting, in lieu thereof, “subsection (f)”; and

(2) by deleting the period at the end of the first sentence, and in lieu thereof, substituting a colon and the following proviso: “*Provided further*, That the appropriate Secretary may acquire lands or interests therein from local governments or governmental corporations with the consent of such entities.”.

(e) Section 7(f) of the National Trails System Act is amended by inserting “(1)” after “(f)” and by adding at the end thereof the following:

Procedures or
regulations.

“(2) In acquiring lands or interests therein for a National Scenic or Historic Trail, the appropriate Secretary may, with consent of a landowner, acquire whole tracts notwithstanding that parts of such tracts may lie outside the area of trail acquisition. In furtherance of the purposes of this Act, lands so acquired outside the area of trail acquisition may be exchanged for any non-Federal lands or interests therein within the trail right-of-way, or disposed of in accordance with such procedures or regulations as the appropriate Secretary shall prescribe, including: (i) provisions for conveyance of such

acquired lands or interests therein at not less than fair market value to the highest bidder, and (ii) provisions for allowing the last owners of record a right to purchase said acquired lands or interests therein upon payment or agreement to pay an amount equal to the highest bid price. For lands designated for exchange or disposal, the appropriate Secretary may convey these lands with any reservations or covenants deemed desirable to further the purposes of this Act. The proceeds from any disposal shall be credited to the appropriation bearing the costs of land acquisition for the affected trail."

(f) Section 7(g) of the National Trails System Act is amended in the last sentence by striking out "No" and inserting in lieu thereof "Except for designated protected components of the trail, no". 16 USC 1246.

(g) Section 7(h) of the National Trails System Act is amended—

(1) by inserting "(1)" after "(h)";

(2) in the second sentence, by striking out "a national scenic or national historic trail" and inserting in lieu thereof "such a trail";

(3) by inserting after the second sentence the following: "Such agreements may include provisions for limited financial assistance to encourage participation in the acquisition, protection, operation, development, or maintenance of such trails, provisions providing volunteer in the park or volunteer in the forest status (in accordance with the Volunteers in the Parks Act of 1969 and the Volunteers in the Forests Act of 1972) to individuals, private organizations, or landowners participating in such activities, or provisions of both types. The appropriate Secretary shall also initiate consultations with affected States and their political subdivisions to encourage—

16 USC 18g note,
558a note.

(A) the development and implementation by such entities of appropriate measures to protect private landowners from trespass resulting from trail use and from unreasonable personal liability and property damage caused by trail use, and

(B) the development and implementation by such entities of provisions for land practices, compatible with the purposes of this Act,

for property within or adjacent to trail rights-of-way. After consulting with States and their political subdivisions under the preceding sentence, the Secretary may provide assistance to such entities under appropriate cooperative agreements in the manner provided by this subsection."; and

(4) by striking out "Whenever the" in the last sentence of such subsection and inserting in lieu thereof the following:

"(2) Whenever the"

(h) Section 7(i) of the National Trails System Act is amended by adding at the end thereof the following new sentence: "The Secretary responsible for the administration of any segment of any component of the National Trails System (as determined in a manner consistent with subsection (a)(1) of this section) may also utilize authorities related to units of the national park system or the national forest system, as the case may be, in carrying out his administrative responsibilities for such component." 16 USC 1246.

(i) Section 7 of the National Trails System Act is amended by inserting after subsection (i) the following:

(j) Potential trail uses allowed on designated components of the national trails system may include, but are not limited to, the following: bicycling, cross-country skiing, day hiking, equestrian

Trails, types.

- activities, jogging or similar fitness activities, trail biking, overnight and long-distance backpacking, snowmobiling, and surface water and underwater activities. Vehicles which may be permitted on certain trails may include, but need not be limited to, motorcycles, bicycles, four-wheel drive or all-terrain off-road vehicles. In addition, trail access for handicapped individuals may be provided. The provisions of this subsection shall not supersede any other provisions of this Act or other Federal laws, or any State or local laws.
- Restrictions. “(k) For the conservation purpose of preserving or enhancing the recreational, scenic, natural, or historical values of components of the national trails system, and environs thereof as determined by the appropriate Secretary, landowners are authorized to donate or otherwise convey qualified real property interests to qualified organizations consistent with section 170(h)(3) of the Internal Revenue Code of 1954, including, but not limited to, right-of-way, open space, scenic, or conservation easements, without regard to any limitation on the nature of the estate or interest otherwise transferable within the jurisdiction where the land is located. The conveyance of any such interest in land in accordance with this subsection shall be deemed to further a Federal conservation policy and yield a significant public benefit for purposes of section 6 of Public Law 96-541.”
- 26 USC 170. SEC. 208. Section 8 of the National Trails System Act is amended—
- 26 USC 170 and note.
16 USC 1247. (1) by redesignating subsection (d) as subsection (e); and
(2) by inserting after subsection (c) the following:
- 45 USC 801 note. “(d) The Secretary of Transportation, the Chairman of the Interstate Commerce Commission, and the Secretary of the Interior, in administering the Railroad Revitalization and Regulatory Reform Act of 1976, shall encourage State and local agencies and private interests to establish appropriate trails using the provisions of such programs. Consistent with the purposes of that Act, and in furtherance of the national policy to preserve established railroad rights-of-way for future reactivation of rail service, to protect rail transportation corridors, and to encourage energy efficient transportation use, in the case of interim use of any established railroad rights-of-way pursuant to donation, transfer, lease, sale, or otherwise in a manner consistent with the National Trails System Act, if such interim use is subject to restoration or reconstruction for railroad purposes, such interim use shall not be treated, for purposes of any law or rule of law, as an abandonment of the use of such right-of-way for railroad purposes. If a State, political subdivision, or qualified private organization is prepared to assume full responsibility for management of such rights-of-way and for any legal liability arising out of such transfer or use, and for the payment of any and all taxes that may be levied or assessed against such rights-of-way, then the Commission shall impose such terms and conditions as a requirement of any transfer or conveyance for interim use in a manner consistent with this Act, and shall not permit abandonment or discontinuance inconsistent or disruptive of such use.”
- Railroad rights-of-way. SEC. 209. Section 10 of the National Trails System Act is amended—
- 16 USC 1249. (1) by inserting “(a)(1)” after “SEC. 10.”;
(2) by striking out “(a) The” in the second sentence and inserting in lieu thereof “for the”;
(3) by striking out “It is the express intent” and inserting in lieu thereof the following:
“(2) It is the express intent”;

(4) in subsection (a)(2) (as designated by paragraph (3) of this subsection), by inserting "Appalachian" before "Trail"; and

(5) in subsection (c)—

(A) by inserting "(1)" after "(c)";

(B) by inserting before the period at the end of paragraph (1) (as designated by subparagraph (A) of this paragraph) ", except that funds may be expended for the acquisition of lands or interests therein for the purpose of providing for one trail interpretation site, as described in section 7(c), along with such trail in each State crossed by the trail"; and

(C) by adding at the end of each such subsection the following:

"(2) There is hereby authorized to be appropriated for fiscal year 1983 and subsequent fiscal years such sums as may be necessary to implement the provisions of this Act relating to the trails designated by paragraphs (9) through (13) of section 5(a) of this Act. Not more than \$500,000 may be appropriated for the purposes of acquisition of land and interests therein for the trail designated by section 5(a)(12) of this Act, and not more than \$2,000,000 may be appropriated for the purposes of the development of such trail. The administering agency for the trail shall encourage volunteer trail groups to participate in the development of the trail."

Ante, p. 46.

Appropriation authorization.

Ante, p. 43.

SEC. 210. The National Trails System Act is amended by adding the following new sections at the end thereof:

"VOLUNTEER TRAILS ASSISTANCE

"SEC. 11. (a)(1) In addition to the cooperative agreement and other authorities contained in this Act, the Secretary of the Interior, the Secretary of Agriculture, and the head of any Federal agency administering Federal lands, are authorized to encourage volunteers and volunteer organizations to plan, develop, maintain, and manage, where appropriate, trails throughout the Nation.

16 USC 1250.

"(2) Wherever appropriate in furtherance of the purposes of this Act, the Secretaries are authorized and encouraged to utilize the Volunteers in the Parks Act of 1969, the Volunteers in the Forests Act of 1972, and section 6 of the Land and Water Conservation Fund Act of 1965 (relating to the development of Statewide Comprehensive Outdoor Recreation Plans).

16 USC 18g note,
558a note,
16 USC 4601-8.

"(b) Each Secretary or the head of any Federal land managing agency may assist volunteers and volunteer organizations in planning, developing, maintaining, and managing trails. Volunteer work may include, but need not be limited to—

"(1) planning, developing, maintaining, or managing (A) trails which are components of the national trails system, or (B) trails which, if so developed and maintained, could qualify for designation as components of the national trails system; or

"(2) operating programs to organize and supervise volunteer trail building efforts with respect to the trails referred to in paragraph (1), conducting trail-related research projects, or providing education and training to volunteers on methods of trails planning, construction, and maintenance.

"(c) The appropriate Secretary or the head of any Federal land managing agency may utilize and make available Federal facilities, equipment, tools, and technical assistance to volunteers and volunteer organizations, subject to such limitations and restrictions as the

Definitions.
16 USC 1251.

appropriate Secretary or the head of any Federal land managing agency deems necessary or desirable.

SEC. 12. As used in this Act:

“(1) The term high potential historic sites means those historic sites related to the route, or sites in close proximity thereto, which provide opportunity to interpret the historic significance of the trail during the period of its major use. Criteria for consideration as high potential sites include historic significance, presence of visible historic remnants, scenic quality, and relative freedom from intrusion.

“(2) The term high potential route segments means those segments of a trail which would afford high quality recreation experience in a portion of the route having greater than average scenic values or affording an opportunity to vicariously share the experience of the original users of a historic route.

“(3) The term State means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Northern Mariana Islands, and any other territory or possession of the United States.

“(4) The term without expense to the United States means that no funds may be expended by Federal agencies for the development of trail related facilities or for the acquisition of lands or interests in lands outside the exterior boundaries of Federal areas. For the purposes of the preceding sentence, amounts made available to any State or political subdivision under the Land and Water Conservation Fund Act of 1965 or any other provision of law shall not be treated as an expense to the United States.”

16 USC 460/-4
note.

* * * * *

Approved March 28, 1983.

LEGISLATIVE HISTORY—S. 271:
HOUSE REPORT No. 9-28 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-1 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 129 (1983):
Feb. 3, considered and passed Senate.
Mar. 15. Considered and passed House.

9. North Country

PUBLIC LAW 96-199—MAR. 5, 1980

94 STAT. 67

Public Law 96-199
96th Congress

An Act

To establish the Channel Islands National Park, and for other purposes.

Mar. 5, 1980
[H.R. 3757]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

National Parks and Recreation Act of 1978, amendment.

TITLE I

SEC. 101. The National Parks and Recreation Act of 1978, approved November 10, 1978 (92 Stat. 3467), is amended as follows:

* * * * *

(b) Section 551, re: the National Trails System Act is amended by:

North Country National Scenic Trail.
16 USC 1244.

(1) in paragraph (9), add the following at the end thereof:

“(8) The North Country National Scenic Trail, a trail of approximately thirty-two hundred miles, extending from eastern New York State to the vicinity of Lake Sakakawea in North Dakota, following the approximate route depicted on the map identified as ‘Proposed North Country Trail-Vicinity Map’ in the Department of the Interior ‘North Country Trail Report’, dated June 1975. The map shall be on file and available for public inspection in the office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.”;

94 STAT. 68
Administration.

16 USC 1244.

(2) in paragraph (15), subsection (e), delete the “;” after Continental Divide National Scenic Trail, and insert “and the North Country National Scenic Trail,”;

(3) in paragraph (15), subsection (f), after the phrase “Continental Divide National Scenic Trail”, insert “or the North Country National Scenic Trail”;

(4) in paragraph (23), revise subsection (c) to read as follows:

“(c) There is hereby authorized to be appropriated such sums as may be necessary to implement the provisions of this Act relating to the trails designated by paragraphs 5(a) (3), (4), (6), (5), (7), and (8): *Provided*, That no such funds are authorized to be appropriated prior to October 1, 1978: *And provided further*, That notwithstanding any other provisions of this Act or any other provisions of law, no funds may be expended by Federal agencies for the acquisition of lands or interests in lands outside the exterior boundaries of existing Federal areas for the Continental Divide National Scenic Trail, the North Country National Scenic Trail, the Oregon National Historic Trail, the Mormon Pioneer National Historic Trail, the Lewis and Clark National Historic Trail and the Iditarod National Historic Trail.”.

16 USC 1249.
Appropriation authorization.

* * * * *

Approved March 5, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-119 (Comm. on Interior and Insular Affairs). No. 96-182, Pt. I accompanying H. R. 2975 (Comm. on Interior and Insular Affairs) and No. 96-182, Pt. II accompanying H. R. 2975 (Comm. on Merchant Marine and Fisheries).

SENATE REPORT No. 96-484 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 125 (1979): May 7, considered and passed House.

Vol. 126 (1980): Feb. 18, considered and passed Senate, amended.

Feb. 20, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS:

Vol. 16, No. 10 (1980): Mar. 5, Presidential statement.

10. Overmountain Victory

PUBLIC LAW 96-344—SEPT. 8, 1980

94 STAT. 1133

Public Law 96-344
96th Congress

An Act

To improve the administration of the Historic Sites, Buildings and Antiquities Act of 1935 (49 Stat. 666).

Sept. 8, 1980
[S. 2680]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Historic Sites, Buildings and Antiquities Act, administration improvement.

* * * * *

94 STAT. 1136
16 USC 1244.

SEC. 14. The National Trails System Act (82 Stat. 919; 16 U.S.C. 1241) is amended by inserting the following new paragraph at the end of section 5(a):

“(9) The Overmountain Victory National Historic Trail, a system totaling approximately two hundred seventy-two miles of trail with routes from the mustering point near Abingdon, Virginia, to Sycamore Shoals (near Elizabethton, Tennessee); from Sycamore Shoals to Quaker Meadows (near Morganton, North Carolina); and from the mustering point in Surry County, North Carolina, to Quaker Meadows; from Quaker Meadows to Kings Mountain, South Carolina, as depicted on the map identified as Map 3—Historic Features—1780 in the draft study report entitled ‘Overmountain Victory Trail’ dated December 1979. The map shall be on file and available for public inspection in the Office of the Director, National Park Service, Washington, District of Columbia. The trail shall be administered by the Secretary of the Interior.”.

Overmountain Victory National Historic Trail.

94 STAT. 1137

Map, public inspection.

* * * * *

94 STAT. 1138

Approved September 8, 1980.

LEGISLATIVE HISTORY:

SENATE REPORT No. 96-754 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 126 (1980):

May 22, considered and passed Senate.

July 31, considered and passed House, amended.

Aug. 18, Senate concurred in House amendment.

11. Pony Express

98 STAT. 1483

PUBLIC LAW 98-405—AUG. 28, 1984

Public Law 98-405
98th Congress**An Act**Aug. 28, 1984
[H.R. 3787]

To amend the National Trails System Act by adding the California Trail to the study list, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

97 Stat. 44.

SECTION 1. Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end thereof the following new paragraph:

Study,
Pony Express
Trail.

“(30) Pony Express Trail, extending from Saint Joseph, Missouri, through Kansas, Nebraska, Colorado, Wyoming, Utah, Nevada, to Sacramento, California, as indicated on a map labeled ‘Potential Pony Express Trail’, dated October 1983 and the California Trail, extending from the vicinity of Omaha, Nebraska, and Saint Joseph, Missouri, to various points in California, as indicated on a map labeled ‘Potential California Trail’ and dated August 1, 1983. Notwithstanding subsection (b) of this section, the study under this paragraph shall be completed and submitted to the Congress no later than the end of two complete fiscal years beginning after the date of the enactment of this paragraph. Such study shall be separated into two portions, one relating to the Pony Express Trail and one relating to the California Trail.”.

* * * * *

98 STAT. 1484

Approved August 28, 1984.

LEGISLATIVE HISTORY—H.R. 3787:

HOUSE REPORT No. 98-719 (Comm. on Interior and Insular Affairs.)

SENATE REPORT No. 98-557 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 130 (1984):

Apr. 30, May 1, considered and passed House

Aug. 9, considered and passed Senate.

12. Potomac Heritage National Scenic

PUBLIC LAW 98-11—MAR. 28, 1983

97 STAT. 42

Public Law 98-11
98th Congress

An Act

To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes.

Mar. 28, 1983
[S. 271]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *
TITLE II—AMENDMENTS TO THE NATIONAL TRAILS SYSTEM ACT

National Trails System Act, Amendments of 1983.

* * * * *
SEC. 205. (a) Section 5(a) of the National Trails System Act is amended by adding at the end thereof the following:

97 STAT. 43
16 USC 1244.

“(11) The Potomac Heritage National Scenic Trail, a corridor of approximately seven hundred and four miles following the route as generally depicted on the map identified as National Trails System, Proposed Potomac Heritage Trail’ in The Potomac Heritage Trail’, a report prepared by the Department of the Interior and dated December 1974, except that no designation of the trail shall be made in the State of West Virginia. The map shall be on file and available for public inspection in the office of the Director of the National Park Service, Washington, District of Columbia. The trail shall initially consist of only those segments of the corridor located within the exterior boundaries of federally administered areas. No lands or interests therein outside the exterior boundaries of any federally administered area may be acquired by the Federal Government for the Potomac Heritage Trail. The Secretary of the Interior may designate lands outside of federally administered areas as segments of the trail, only upon application from the States or local governmental agencies involved, if such segments meet the criteria established in this Act and are administered by such agencies without expense to the United States. The trail shall be administered by the Secretary of the Interior.

Potomac Heritage National Scenic Trail.

Map; public availability.

* * * * *
Approved March 28, 1983.

97 STAT. 52

LEGISLATIVE HISTORY—S. 271:

HOUSE REPORT No. 9-28 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-1 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 129 (1983):
Feb. 3, considered and passed Senate.
Mar. 15, considered and passed House.

13. Trail of Tears (Study)

97 STAT. 42

PUBLIC LAW 98-11—MAR. 28, 1983

Public Law 98-11
98th Congress

An Act

Mar. 28, 1983
[S. 271]

To amend the National Trails System Act by designating additional national scenic and historic trails, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

National Trails System Act Amendments of 1983.

TITLE II—AMENDMENTS TO THE NATIONAL TRAILS SYSTEM ACT

* * * * *

97 STAT. 44

SEC. 205. (c) Section 5(c) of the National Trails System Act is amended—

- (1) in paragraph (9), by striking out “Sante Fe ” and inserting in lieu thereof “Santa Fe”; and
- (2) by adding after paragraph (23) the following:

* * * * *

“(25) Trail of Tears, including the associated forts and specifically, Fort Mitchell, Alabama, and historic properties, extending from the vicinity of Murphy, North Carolina, through Georgia, Alabama, Tennessee, Kentucky, Illinois, Missouri, and Arkansas, to the vicinity of Tahlequah, Oklahoma.

* * * * *

97 STAT. 52

Approved March 28, 1983.

LEGISLATIVE HISTORY—S. 271:
 HOUSE REPORT No. 9-28 (Comm. on Interior and Insular Affairs).
 SENATE REPORT No. 98-1 (Comm. on Energy and Natural Resources).
 CONGRESSIONAL RECORD, Vol. 129 (1983):
 Feb. 3, considered and passed Senate.
 Mar. 15, considered and passed House.