

119TH CONGRESS
1ST SESSION

S. _____

To amend the National Trails System Act to designate the Route 66 National Historic Trail, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CRUZ (for himself, Ms. DUCKWORTH, Mr. PADILLA, Mr. SCHMITT, and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the National Trails System Act to designate the Route 66 National Historic Trail, 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 “Route 66 National
5 Historic Trail Designation Act”.

6 **SEC. 2. DESIGNATION OF THE ROUTE 66 NATIONAL HIS-**
7 **TORIC TRAIL.**

8 Section 5(a) of the National Trails System Act (16
9 U.S.C. 1244(a)) is amended—

1 (1) by redesignating the second paragraph (31)
2 (relating to the Butterfield Overland National His-
3 toric Trail) as paragraph (32); and

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

5 “(33) ROUTE 66 NATIONAL HISTORIC TRAIL.—

6 “(A) IN GENERAL.—The Route 66 Na-
7 tional Historic Trail, a trail that includes all
8 the alignments of U.S. Highway 66 in existence
9 between 1926 and 1985, extending along a
10 route of approximately 2,400 miles from Chi-
11 cago, Illinois, to Santa Monica, California, as
12 generally depicted on the map entitled ‘Route
13 66 National Historic Trail, Proposed Route’,
14 numbered P26/141,279, and dated December
15 2017.

16 “(B) AVAILABILITY OF MAP.—The map
17 described in subparagraph (A) shall be on file
18 and available for public inspection at the De-
19 partment of the Interior.

20 “(C) ADMINISTRATION.—

21 “(i) IN GENERAL.—The Secretary of
22 the Interior shall administer the Route 66
23 National Historic Trail in a manner that
24 respects and maintains the idiosyncratic

1 nature of the Route 66 National Historic
2 Trail.

3 “(ii) TRIBAL CONSULTATION.—Con-
4 sistent with Executive Order 13175 (25
5 U.S.C. 5301 note; relating to consultation
6 and coordination with Indian Tribal gov-
7 ernments) and all other applicable Federal
8 law, the Secretary of the Interior shall con-
9 duct active, meaningful, and timely con-
10 sultation with all affected Indian Tribes
11 prior to undertaking an activity with re-
12 spect to the Route 66 National Historic
13 Trail that would have substantial direct
14 impacts on 1 or more Indian Tribes.

15 “(D) LAND ACQUISITION.—The United
16 States shall not acquire for the Route 66 Na-
17 tional Historic Trail any land or interest in
18 land that—

19 “(i) is located outside the exterior
20 boundary of any federally managed area
21 without the consent of the owner of the
22 land or interest in land; or

23 “(ii) extends more than an average of
24 $\frac{1}{4}$ of a mile on either side of the Route 66
25 National Historic Trail.

1 “(E) NO BUFFER ZONE CREATED.—

2 “(i) IN GENERAL.—Nothing in this
3 paragraph, the acquisition of land or an in-
4 terest in land authorized by this para-
5 graph, or any management plan for the
6 Route 66 National Historic Trail creates
7 or shall be construed to create a buffer
8 zone outside the Route 66 National His-
9 toric Trail.

10 “(ii) OUTSIDE ACTIVITIES.—The fact
11 that an activity or use on land outside the
12 Route 66 National Historic Trail can be
13 seen, heard, or detected from the Route 66
14 National Historic Trail, including from any
15 land or interest in land acquired for the
16 Route 66 National Historic Trail subject
17 to the limitations described in subpara-
18 graph (D), shall not preclude, limit, con-
19 trol, regulate, or determine the conduct or
20 management of the activity or use.

21 “(F) EFFECT ON ENERGY DEVELOPMENT,
22 PRODUCTION, TRANSPORTATION, OR TRANS-
23 MISSION.—Nothing in this paragraph, the ac-
24 quisition of land or an interest in land author-
25 ized by this paragraph, or any management

1 plan for the Route 66 National Historic Trail
2 shall prohibit, hinder, or disrupt the develop-
3 ment, production, transportation, or trans-
4 mission of energy.

5 “(G) NO EMINENT DOMAIN OR CONDEMNATION.—In carrying out this paragraph, the Sec-
6 retary of the Interior may not use eminent do-
7 main or condemnation.
8

9 “(H) NOT A DESIGNATION OF ‘LANDS IN
10 THE NATIONAL PARK SYSTEM’.—Notwith-
11 standing any other provision of law, the des-
12 ignation of the Route 66 National Historic
13 Trail by this paragraph shall not have the effect
14 of designating the Route 66 National Historic
15 Trail or any land on which the Route 66 Na-
16 tional Historic Trail is located as ‘lands in the
17 National Park System’ for purposes of section
18 28(b)(1) of the Mineral Leasing Act (30 U.S.C.
19 185(b)(1)).

20 “(I) NO NEW AUTHORITIES OR PERMITS.—

21 “(i) NO EFFECT ON AUTHORITY TO
22 GRANT EASEMENTS OR RIGHTS-OF-WAY.—

23 “(I) IN GENERAL.—Notwith-
24 standing any other provision of law,
25 the designation of the Route 66 Na-

1 tional Historic Trail by this para-
2 graph shall not alter or affect the ex-
3 isting authority of any Federal, State,
4 or local agency or official to grant
5 easements or rights-of-way over,
6 under, across, or along any portion of
7 the area designated as the Route 66
8 National Historic Trail.

9 “(II) AUTHORITY OF HEADS OF
10 FEDERAL AGENCIES TO GRANTS EASE-
11 MENTS OR RIGHTS-OF-WAY.—Notwith-
12 standing the designation of the Route
13 66 National Historic Trail by this
14 paragraph, the head of any Federal
15 agency having jurisdiction over any
16 Federal land on which the Route 66
17 National Historic Trail designated by
18 this paragraph is located (other than
19 land that is considered to be ‘lands in
20 the National Park System’ for pur-
21 poses of section 28(b)(1) of the Min-
22 eral Leasing Act (30 U.S.C.
23 185(b)(1)) as a result of a designation
24 under any other law), shall have the
25 authority to grant easements or

1 rights-of-way over, under, across, or
2 along any applicable portion of the
3 Route 66 National Historic Trail in
4 accordance with the laws applicable to
5 the Federal land.

6 “(ii) NO NEW PERMITS REQUIRED.—
7 Notwithstanding any other provision of
8 law, the designation of the Route 66 Na-
9 tional Historic Trail by this paragraph
10 shall not subject the Route 66 National
11 Historic Trail or any land on which the
12 Route 66 National Historic Trail is located
13 to any other Federal laws (including regu-
14 lations) requiring a Federal permit or au-
15 thorization that would otherwise be made
16 applicable as a result of the designation of
17 the Route 66 National Historic Trail as a
18 component of the National Trails Sys-
19 tem.”.