

117TH CONGRESS
2D SESSION

S. 5170

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

DECEMBER 1, 2022

Mr. INHOFE (for himself, Mr. CRUZ, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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 by adding at the end the fol-
10 lowing:

1 “(31) ROUTE 66 NATIONAL HISTORIC TRAIL.—

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

12 “(B) AVAILABILITY OF MAP.—The map
13 described in subparagraph (A) shall be on file
14 and available for public inspection at the De-
15 partment of the Interior.

16 “(C) ADMINISTRATION.—The Secretary of
17 the Interior shall administer the Route 66 Na-
18 tional Historic Trail in a manner that respects
19 and maintains the idiosyncratic nature of the
20 Route 66 National Historic Trail.

21 “(D) LAND ACQUISITION.—The United
22 States shall not acquire for the Route 66 Na-
23 tional Historic Trail any land or interest in
24 land that—

1 “(i) is located outside the exterior
2 boundary of any federally managed area
3 without the consent of the owner of the
4 land or interest in land; or

5 “(ii) extends more than an average of
6 $\frac{1}{4}$ of a mile on either side of the Route 66
7 National Historic Trail.

8 “(E) NO BUFFER ZONE CREATED.—

9 “(i) IN GENERAL.—Nothing in this
10 paragraph, the acquisition of land or an in-
11 terest in land authorized by this para-
12 graph, or any management plan for the
13 Route 66 National Historic Trail creates
14 or shall be construed to create a buffer
15 zone outside the Route 66 National His-
16 toric Trail.

17 “(ii) OUTSIDE ACTIVITIES.—The fact
18 that an activity or use on land outside the
19 Route 66 National Historic Trail can be
20 seen, heard, or detected from the Route 66
21 National Historic Trail, including from any
22 land or interest in land acquired for the
23 Route 66 National Historic Trail subject
24 to the limitations described in subpara-
25 graph (D), shall not preclude, limit, con-

1 trol, regulate, or determine the conduct or
2 management of the activity or use.

3 “(F) EFFECT ON ENERGY DEVELOPMENT,
4 PRODUCTION, TRANSPORTATION, OR TRANS-
5 MISSION.—Nothing in this paragraph, the ac-
6 quisition of land or an interest in land author-
7 ized by this paragraph, or any management
8 plan for the Route 66 National Historic Trail
9 shall prohibit, hinder, or disrupt the develop-
10 ment, production, transportation, or trans-
11 mission of energy.

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

16 “(H) NOT A DESIGNATION OF ‘LANDS IN
17 THE NATIONAL PARK SYSTEM’.—Notwith-
18 standing any other provision of law, the des-
19 ignation of the Route 66 National Historic
20 Trail by this paragraph shall not have the effect
21 of designating the Route 66 National Historic
22 Trail or any land on which the Route 66 Na-
23 tional Historic Trail is located as ‘lands in the
24 National Park System’ for purposes of section

1 28(b)(1) of the Mineral Leasing Act (30 U.S.C.
2 185(b)(1)).

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

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

6 “(I) IN GENERAL.—Notwith-
7 standing any other provision of law,
8 the designation of the Route 66 Na-
9 tional Historic Trail by this para-
10 graph shall not alter or affect the ex-
11 isting authority of any Federal, State,
12 or local agency or official to grant
13 easements or rights-of-way over,
14 under, across, or along any portion of
15 the area designated as the Route 66
16 National Historic Trail.

17 “(II) AUTHORITY OF HEADS OF
18 FEDERAL AGENCIES TO GRANTS EASE-
19 MENTS OR RIGHTS-OF-WAY.—Notwith-
20 standing the designation of the Route
21 66 National Historic Trail by this
22 paragraph, the head of any Federal
23 agency having jurisdiction over any
24 Federal land on which the Route 66
25 National Historic Trail designated by

1 this paragraph is located (other than
2 land that is considered to be ‘lands in
3 the National Park System’ for pur-
4 poses of section 28(b)(1) of the Min-
5 eral Leasing Act (30 U.S.C.
6 185(b)(1)) as a result of a designation
7 under any other law), shall have the
8 authority to grant easements or
9 rights-of-way over, under, across, or
10 along any applicable portion of the
11 Route 66 National Historic Trail in
12 accordance with the laws applicable to
13 the Federal land.

14 “(ii) NO NEW PERMITS REQUIRED.—
15 Notwithstanding any other provision of
16 law, the designation of the Route 66 Na-
17 tional Historic Trail by this paragraph
18 shall not subject the Route 66 National
19 Historic Trail or any land on which the
20 Route 66 National Historic Trail is located
21 to any other Federal laws (including regu-
22 lations) requiring a Federal permit or au-
23 thorization that would otherwise be made
24 applicable as a result of the designation of
25 the Route 66 National Historic Trail as a

1 component of the National Trails Sys-
2 tem.”.

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