

XVIII. NATIONAL TRAILS SYSTEM

1. Captain John Smith

PUBLIC LAW 109-54—AUG. 2, 2005

119 STAT. 499

Public Law 109-54  
109th Congress

An Act

Making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

Aug. 2, 2005

[H.R. 2361]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006.

TITLE I—DEPARTMENT OF THE INTERIOR

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GENERAL PROVISIONS, DEPARTMENT OF THE INTERIOR

119 STAT. 520

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SEC. 133. Section 5(c) of the National Trails System Act (16 U.S.C. 1244(c)) is amended by adding at the end the following:

119 STAT. 526

“(43)(A) The Captain John Smith Chesapeake National Historic Watertrail, a series of routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, Pennsylvania, and Delaware and the District of Columbia that traces Captain John Smith’s voyages charting the land and waterways of the Chesapeake Bay and the tributaries of the Chesapeake Bay.

Captain John Smith.

“(B) The study shall be conducted in consultation with Federal, State, regional, and local agencies and representatives of the private sector, including the entities responsible for administering—

“(i) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; title V of Public Law 105-312); and

“(ii) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267).

“(C) The study shall include an extensive analysis of the potential impacts the designation of the trail as a national historic watertrail is likely to have on land and water, including docks and piers, along the proposed route or bordering the study route that is privately owned at the time the study is conducted.”.

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This Act may be cited as the “Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006”.

Approved August 2, 2005.

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LEGISLATIVE HISTORY—H.R. 2361:

HOUSE REPORTS: Nos. 109–80 (Comm. on Appropriations) and 109–188 (Comm. of Conference).

SENATE REPORTS: No. 109–80 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 151 (2005):

May 19, considered and passed House.

June 24, 27–29, considered and passed Senate, amended.

July 28, House agreed to conference report.

July 29, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 41 (2005):

Aug. 2, Presidential statement.

PUBLIC LAW 109-418—DEC. 19, 2006

120 STAT. 2882

Public Law 109-418  
109th Congress

An Act

To amend the National Trails System Act to designate the Captain John Smith Chesapeake National Historic Trail.

Dec. 19, 2006  
[H.R. 5466]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Captain John Smith Chesapeake National Historic Trail Designation Act”.

Captain John Smith Chesapeake National Historic Trail Designation Act.  
16 USC 1241 note.

**SEC. 2. ADDITION TO NATIONAL SCENIC AND NATIONAL HISTORIC TRAILS.**

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

“(25) CAPTAIN JOHN SMITH CHESAPEAKE NATIONAL HISTORIC TRAIL.—

“(A) IN GENERAL.—The John Smith Chesapeake National Historic Trail, a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and the tributaries of the Chesapeake Bay in the States of Virginia, Maryland, and Delaware, and in the District of Columbia, that traces the 1607–1609 voyages of Captain John Smith to chart the land and waterways of the Chesapeake Bay, as generally depicted on the map entitled ‘Captain John Smith Chesapeake National Historic Trail Map MD, VA, DE, and DC’, numbered P-16/8000 (CAJO), and dated May 2006.

State listing.  
District of Columbia.

“(B) MAP.—The map referred to in subparagraph (A) shall be on file and available for public inspection in the appropriate offices of the National Park Service.

“(C) ADMINISTRATION.—The trail shall be administered by the Secretary of the Interior—

“(i) in coordination with—

“(I) the Chesapeake Bay Gateways and Watertrails Network authorized under the Chesapeake Bay Initiative Act of 1998 (16 U.S.C. 461 note; 112 Stat. 2961); and

“(II) the Chesapeake Bay Program authorized under section 117 of the Federal Water Pollution Control Act (33 U.S.C. 1267); and

“(ii) in consultation with—

“(I) other Federal, State, tribal, regional, and local agencies; and

“(II) the private sector.

120 STAT. 2883

PUBLIC LAW 109-418—DEC. 19, 2006

“(D) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-managed area without the consent of the owner of the land or interest in land.”.

**SEC. 3. CHANGE IN AUTHORIZATION.**

Section 4 of the Act of July 3, 1930 (16 U.S.C. 81f), is amended in the first sentence by striking “10,472,000” and inserting “8,572,000”.

Approved December 19, 2006.

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LEGISLATIVE HISTORY—H.R. 5466:  
CONGRESSIONAL RECORD, Vol. 152 (2006):  
Dec. 5, considered and passed House.  
Dec. 7, considered and passed Senate.

**2. El Camino Real de los Tejas**

PUBLIC LAW 108-342—OCT. 18, 2004

118 STAT. 1370

Public Law 108-342  
108th Congress**An Act**

To amend the National Trails System Act to designate El Camino Real de los Tejas as a National Historic Trail.

Oct. 18, 2004  
[S. 2052]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**

This Act may be cited as the “El Camino Real de los Tejas National Historic Trail Act”.

El Camino Real  
de los Tejas  
National Historic  
Trail Act.  
Texas.  
Louisiana.  
Mexico.  
16 USC 1241  
note.**SEC. 2. DESIGNATION OF EL CAMINO REAL DE LOS TEJAS NATIONAL HISTORIC TRAIL.**

Section 5(a) of the National Trails System Act (16 U.S.C. 1244(a)) is amended by adding at the end the following:

“(24) EL CAMINO REAL DE LOS TEJAS NATIONAL HISTORIC TRAIL.—

“(A) IN GENERAL.—El Camino Real de los Tejas (the Royal Road to the Tejas) National Historic Trail, a combination of historic routes (including the Old San Antonio Road) totaling approximately 2,580 miles, extending from the Rio Grande near Eagle Pass and Laredo, Texas, to Natchitoches, Louisiana, as generally depicted on the map entitled ‘El Camino Real de los Tejas’ contained in the report entitled ‘National Historic Trail Feasibility Study and Environmental Assessment: El Camino Real de los Tejas, Texas-Louisiana’, dated July 1998.

“(B) MAP.—A map generally depicting the trail shall be on file and available for public inspection in the appropriate offices of the National Park Service.

“(C) ADMINISTRATION.—(i) The Secretary of the Interior (referred to in this paragraph as ‘the Secretary’) shall administer the trail.

“(ii) The Secretary shall administer those portions of the trail on non-Federal land only with the consent of the owner of such land and when such trail portion qualifies for certification as an officially established component of the trail, consistent with section 3(a)(3). An owner’s approval of a certification agreement shall satisfy the consent requirement. A certification agreement may be terminated at any time.

“(iii) The designation of the trail does not authorize any person to enter private property without the consent of the owner.

“(D) CONSULTATION.—The Secretary shall consult with appropriate State and local agencies in the planning and development of the trail.

118 STAT. 1371

PUBLIC LAW 108-342—OCT. 18, 2004

“(E) COORDINATION OF ACTIVITIES.—The Secretary may coordinate with United States and Mexican public and non-governmental organizations, academic institutions, and, in consultation with the Secretary of State, the Government of Mexico and its political subdivisions, for the purpose of exchanging trail information and research, fostering trail preservation and educational programs, providing technical assistance, and working to establish an international historic trail with complementary preservation and education programs in each nation.

“(F) LAND ACQUISITION.—The United States shall not acquire for the trail any land or interest in land outside the exterior boundary of any federally-administered area without the consent of the owner of the land or interest in land.”.

Approved October 18, 2004.

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LEGISLATIVE HISTORY—S. 2052:

SENATE REPORTS: No. 108-321 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 150 (2004):  
Sept. 15, considered and passed Senate.  
Sept. 28, considered and passed House.

**3. Florida**

PUBLIC LAW 108-352—OCT. 21, 2004

118 STAT. 1395

Public Law 108-352  
108th Congress

**An Act**

To make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

Oct. 21, 2004  
[S. 2178]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Park System Laws Technical Amendments Act of 2004”.

National Park System Laws Technical Amendments Act of 2004.  
16 USC 1 note.

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**SEC. 14. NATIONAL TRAILS SYSTEM ACT.**

118 STAT. 1397

The National Trails System Act (16 U.S.C. 1241 et seq.) is amended—

(1) in section 5—

16 USC 1244.

(A) in subsection (c)—

(i) in paragraph (19), by striking “Kissimme” and inserting “Kissimnee”;

\* \* \* \* \*

Approved October 21, 2004.

118 STAT. 1398

**LEGISLATIVE HISTORY—S. 2178:**

SENATE REPORTS: No. 108-239 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 150 (2004):  
May 19, considered and passed Senate.  
Oct. 6, considered and passed House.

**4. Ice Age**

118 STAT. 1395

PUBLIC LAW 108-352—OCT. 21, 2004

Public Law 108-352  
108th Congress

**An Act**

Oct. 21, 2004  
[S. 2178]

To make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

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

National Park System Laws Technical Amendments Act of 2004.  
16 USC 1 note.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Park System Laws Technical Amendments Act of 2004”.

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118 STAT. 1397

**SEC. 14. NATIONAL TRAILS SYSTEM ACT.**

The National Trails System Act (16 U.S.C. 1241 et seq.) is amended—

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16 USC 1249.

(2) in section 10(c)(1), by striking “The Ice Age” and inserting “the Ice Age”.

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118 STAT. 1398

Approved October 21, 2004.

**LEGISLATIVE HISTORY—S. 2178:**

SENATE REPORTS: No. 108-239 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 150 (2004):  
May 19, considered and passed Senate.  
Oct. 6, considered and passed House.

**5. Long Walk**

PUBLIC LAW 108-352—OCT. 21, 2004

118 STAT. 1395

Public Law 108-352  
108th Congress

**An Act**

To make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

Oct. 21, 2004  
[S. 2178]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Park System Laws Technical Amendments Act of 2004”.

National Park System Laws Technical Amendments Act of 2004.  
16 USC 1 note.

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**SEC. 14. NATIONAL TRAILS SYSTEM ACT.**

118 STAT. 1397

The National Trails System Act (16 U.S.C. 1241 et seq.) is amended—

(1) in section 5—

16 USC 1244.

(A) in subsection (c)—

\* \* \* \* \*

(iii) by designating the undesignated paragraphs relating to the Metacoment-Monadnock-Mattabesett Trail and The Long Walk Trail as paragraphs (41) and (42), respectively; and

\* \* \* \* \*

Approved October 21, 2004.

118 STAT. 1398

**LEGISLATIVE HISTORY—S. 2178:**

SENATE REPORTS: No. 108-239 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 150 (2004):  
May 19, considered and passed Senate.  
Oct. 6, considered and passed House.

**6. Metacoment—Monadnock—Mattabesett**

118 STAT. 1395

PUBLIC LAW 108–352—OCT. 21, 2004

Public Law 108–352  
108th Congress**An Act**Oct. 21, 2004  
[S. 2178]

To make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*National Park  
System Laws  
Technical  
Amendments Act  
of 2004.  
16 USC 1 note.**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Park System Laws Technical Amendments Act of 2004”.

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118 STAT. 1397

**SEC. 14. NATIONAL TRAILS SYSTEM ACT.**

The National Trails System Act (16 U.S.C. 1241 et seq.) is amended—

16 USC 1244.

(1) in section 5—  
(A) in subsection (c)—

\* \* \* \* \*

(iii) by designating the undesignated paragraphs relating to the Metacoment-Monadnock-Mattabesett Trail and The Long Walk Trail as paragraphs (41) and (42), respectively; and

\* \* \* \* \*

118 STAT. 1398

Approved October 21, 2004.

**LEGISLATIVE HISTORY—S. 2178:**SENATE REPORTS: No. 108–239 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 150 (2004):  
May 19, considered and passed Senate.  
Oct. 6, considered and passed House.

**7. National Trails System Act**

PUBLIC LAW 108-352—OCT. 21, 2004

118 STAT. 1395

Public Law 108-352  
108th Congress

**An Act**

To make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

Oct. 21, 2004  
[S. 2178]

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

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Park System Laws Technical Amendments Act of 2004”.

National Park System Laws Technical Amendments Act of 2004.  
16 USC 1 note.

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**SEC. 14. NATIONAL TRAILS SYSTEM ACT.**

118 STAT. 1397

The National Trails System Act (16 U.S.C. 1241 et seq.) is amended—

(1) in section 5—

16 USC 1244.

\* \* \* \* \*

(B) in the first sentence of subsection (d), by striking “establishment.”; and

\* \* \* \* \*

Approved October 21, 2004.

118 STAT. 1398

**LEGISLATIVE HISTORY—S. 2178:**

SENATE REPORTS: No. 108-239 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 150 (2004):  
May 19, considered and passed Senate.  
Oct. 6, considered and passed House.

**8. Star-Spangled Banner**

118 STAT. 1395

PUBLIC LAW 108-352—OCT. 21, 2004

Public Law 108-352  
108th Congress**An Act**Oct. 21, 2004  
[S. 2178]

To make technical corrections to laws relating to certain units of the National Park System and to National Park programs.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*National Park  
System Laws  
Technical  
Amendments Act  
of 2004.  
16 USC 1 note.**SECTION 1. SHORT TITLE.**

This Act may be cited as the “National Park System Laws Technical Amendments Act of 2004”.

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118 STAT. 1397

**SEC. 14. NATIONAL TRAILS SYSTEM ACT.**

The National Trails System Act (16 U.S.C. 1241 et seq.) is amended—

16 USC 1244.

(1) in section 5—  
(A) in subsection (c)—

\* \* \* \* \*

(ii) in paragraph (4)(D) by striking “later that”  
and inserting “later than”; and

\* \* \* \* \*

118 STAT. 1398

Approved October 21, 2004.

**LEGISLATIVE HISTORY—S. 2178:**SENATE REPORTS: No. 108-239 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 150 (2004):  
May 19, considered and passed Senate.  
Oct. 6, considered and passed House.

**9. Trail of Tears (study)**

PUBLIC LAW 109–378—DEC. 1, 2006

120 STAT. 2664

Public Law 109–378  
109th Congress**An Act**

To amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, and for other purposes.

Dec. 1, 2006  
[H.R. 3085]

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

Conservation.

**SECTION 1. REVISION OF FEASIBILITY AND SUITABILITY STUDY OF TRAIL OF TEARS NATIONAL HISTORIC TRAIL.**

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

(1) in subparagraph (B), by striking “subsections” and inserting “sections”; and

(2) by adding at the end the following new subparagraphs:

“(C) Not later than 6 months after the date of the enactment of this Act, the Secretary of the Interior shall complete the remaining criteria and submit to Congress a study regarding the feasibility and suitability of designating, as additional components of the Trail of Tears National Historic Trail, the following routes and land components by which the Cherokee Nation was removed to Oklahoma:

Deadline.

“(i) The Benge and Bell routes.

“(ii) The land components of the designated water routes in Alabama, Arkansas, Oklahoma, and Tennessee.

State listing.

“(iii) The routes from the collection forts in Alabama, Georgia, North Carolina, and Tennessee to the emigration depots.

State listing.

“(iv) The related campgrounds located along the routes and land components described in clauses (i) through (iii).

“(D) No additional funds are authorized to be appropriated to carry out subparagraph (C). The Secretary may accept donations for the Trail from private, nonprofit, or tribal organizations.”.

120 STAT. 2665

Approved December 1, 2006.

**LEGISLATIVE HISTORY—H.R. 3085 (S. 1970):**

HOUSE REPORTS: No. 109–549 (Comm. on Resources).

SENATE REPORTS: No. 109–239 accompanying S. 1970 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 152 (2006):

July 17, considered and passed House.

Sept. 29, considered and passed Senate, amended.

Nov. 13, House concurred in Senate amendment.

