

## HR 1639

R.S. 2477 Rights-of-Way Act of 2003

**Congress:** 108 (2003–2005, Ended)

**Chamber:** House

**Policy Area:** Public Lands and Natural Resources

**Introduced:** Apr 3, 2003

**Current Status:** Executive Comment Requested from Interior.

**Latest Action:** Executive Comment Requested from Interior. (Apr 15, 2003)

**Official Text:** <https://www.congress.gov/bill/108th-congress/house-bill/1639>

### Sponsor

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**Name:** Rep. Udall, Mark [D-CO-2]

**Party:** Democratic • **State:** CO • **Chamber:** Senate

**Cosponsors** (58 total)

<b>Cosponsor</b>	<b>Party / State</b>	<b>Role</b>	<b>Date Joined</b>
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		May 1, 2003
Rep. Holt, Rush [D-NJ-12]	D · NJ		May 20, 2003
Rep. Hinchey, Maurice D. [D-NY-22]	D · NY		Jun 18, 2003
Rep. Miller, George [D-CA-7]	D · CA		Jun 18, 2003
Rep. McNulty, Michael R. [D-NY-21]	D · NY		Jun 19, 2003
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Jun 19, 2003
Rep. Green, Gene [D-TX-29]	D · TX		Jun 26, 2003
Rep. Moran, James P. [D-VA-8]	D · VA		Jun 26, 2003
Rep. Wexler, Robert [D-FL-19]	D · FL		Jun 26, 2003
Rep. Case, Ed [D-HI-2]	D · HI		Jul 8, 2003
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Jul 8, 2003
Rep. Lee, Barbara [D-CA-9]	D · CA		Jul 8, 2003
Rep. McGovern, James P. [D-MA-3]	D · MA		Jul 8, 2003
Rep. McCollum, Betty [D-MN-4]	D · MN		Jul 15, 2003
Rep. Eshoo, Anna G. [D-CA-14]	D · CA		Jul 17, 2003
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Jul 17, 2003
Rep. Van Hollen, Chris [D-MD-8]	D · MD		Jul 17, 2003
Rep. Schiff, Adam B. [D-CA-29]	D · CA		Jul 22, 2003
Rep. Tauscher, Ellen O. [D-CA-10]	D · CA		Jul 22, 2003
Rep. Andrews, Robert E. [D-NJ-1]	D · NJ		Sep 5, 2003
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Sep 5, 2003
Rep. Frank, Barney [D-MA-4]	D · MA		Sep 5, 2003
Rep. Honda, Michael M. [D-CA-15]	D · CA		Sep 5, 2003
Rep. Markey, Edward J. [D-MA-7]	D · MA		Sep 5, 2003
Rep. Watson, Diane E. [D-CA-33]	D · CA		Sep 16, 2003
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Sep 24, 2003
Rep. Price, David E. [D-NC-4]	D · NC		Oct 30, 2003
Rep. Davis, Susan A. [D-CA-53]	D · CA		Jan 21, 2004
Rep. Olver, John W. [D-MA-1]	D · MA		Jan 21, 2004
Rep. Owens, Major R. [D-NY-11]	D · NY		Jan 21, 2004
Rep. Bell, Chris [D-TX-25]	D · TX		Jan 28, 2004
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		Jan 28, 2004
Rep. Gutierrez, Luis V. [D-IL-4]	D · IL		Feb 4, 2004
Rep. Jackson, Jesse L., Jr. [D-IL-2]	D · IL		Feb 4, 2004
Rep. Sanchez, Loretta [D-CA-47]	D · CA		Feb 11, 2004
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		Mar 17, 2004
Rep. Fattah, Chaka [D-PA-2]	D · PA		Mar 17, 2004
Rep. Inslee, Jay [D-WA-1]	D · WA		Mar 17, 2004
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Mar 17, 2004
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Mar 17, 2004
Rep. Weiner, Anthony D. [D-NY-9]	D · NY		Mar 17, 2004

Cosponsor	Party / State	Role	Date Joined
Rep. Gordon, Bart [D-TN-6]	D · TN		Mar 30, 2004
Rep. Jones, Stephanie Tubbs [D-OH-11]	D · OH		Apr 22, 2004
Rep. Slaughter, Louise McIntosh [D-NY-28]	D · NY		May 5, 2004
Rep. Miller, Brad [D-NC-13]	D · NC		May 19, 2004
Rep. Rangel, Charles B. [D-NY-15]	D · NY		May 19, 2004
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		May 19, 2004
Rep. Hoeffel, Joseph M. [D-PA-13]	D · PA		May 20, 2004
Rep. Michaud, Michael H. [D-ME-2]	D · ME		May 20, 2004
Rep. Napolitano, Grace F. [D-CA-38]	D · CA		Jun 2, 2004
Rep. Doggett, Lloyd [D-TX-10]	D · TX		Jun 8, 2004
Rep. Frost, Martin [D-TX-24]	D · TX		Jun 15, 2004
Rep. Lantos, Tom [D-CA-12]	D · CA		Jun 17, 2004
Rep. Thompson, Bennie G. [D-MS-2]	D · MS		Jul 7, 2004
Rep. Filner, Bob [D-CA-51]	D · CA		Jul 8, 2004
Rep. Blumenauer, Earl [D-OR-3]	D · OR		Sep 14, 2004
Rep. Allen, Thomas H. [D-ME-1]	D · ME		Sep 29, 2004
Rep. Gonzalez, Charles A. [D-TX-20]	D · TX		Oct 7, 2004

## Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Referred to	Apr 15, 2003
Natural Resources Committee	House	Referred to	Apr 15, 2003
Natural Resources Committee	House	Referred to	Apr 15, 2003

## Subjects & Policy Tags

### Policy Area:

Public Lands and Natural Resources

### Related Bills

*No related bills are listed.*

## Summary (as of Apr 3, 2003)

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R.S. 2477 Rights-of-Way Act of 2003 - Permits the filing of claims asserting the existence and validity of right-of-ways pursuant to a repealed section of the Revised Statutes (R.S. 2477) to build highways across public land not reserved for public uses.

Declares that claimants shall have the burden to prove that the grant of a right-of-way was validly accepted and not abandoned. Presumes abandoned claims involving lands within a conservation system unit, an inventoried roadless area, or a wilderness study area or that are former Federal lands, unless use was open and notorious.

Directs an authorized Federal officer to review the evidence put forth by a claimant that: (1) a R.S. 2477 right-of-way contains sufficient evidence to prove prior construction and use of a highway over unreserved public lands; and (2) if there is evidence of such a highway, that the right-of-way was not abandoned.

Subjects the administrative record of a final decision of an authorized Federal officer to judicial review.

Allows the United States to retain exclusive possession or control of the lands traversed by a valid right-of-way or any part thereof, upon payment to the claimant of an amount set by the relevant district court.

Recognizes the prior adjudication of claimed right-of-ways by courts of competent jurisdiction. States that nothing in this Act shall be construed to alter provisions of: (1) the Federal Land Policy and Management Act of 1976 regarding right-of-ways with respect to public lands and National Forest System lands; or (2) the Alaska National Interest Lands Conservation Act pertaining to Alaska's transportation and utility network.

## Actions Timeline

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- **Apr 15, 2003:** Referred to the Subcommittee on National Parks, Recreation and Public Lands.
- **Apr 15, 2003:** Referred to the Subcommittee on Forests and Forest Health.
- **Apr 15, 2003:** Referred to the Subcommittee on Fisheries Conservation, Wildlife and Oceans.
- **Apr 15, 2003:** Executive Comment Requested from Interior.
- **Apr 3, 2003:** Introduced in House
- **Apr 3, 2003:** Sponsor introductory remarks on measure. (CR E671-672)
- **Apr 3, 2003:** Referred to the House Committee on Resources.

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