

United States
Department of
Agriculture

Forest
Service

Washington
Office

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Washington, DC 20090-6090

File Code: 5500
Route To :

Date: SEP 25 1997

Subject: R.S. 2477 Public Highways

To: Regional Foresters, OGC Regional Attorneys

In recent months, we have been working with several Interior agencies in a collaborative effort on a legislative proposal to resolve R.S. 2477 public rights-of-way issues.

On August 27, 1997, the Administration submitted a draft bill to Congress titled "The Revised Statute (R.S.) 2477 Rights-of-Way Act." A key objective of the bill is to establish a uniform administrative process by which those States and local governments that claim R.S. 2477 rights-of-way across Federal land can have the appropriate Federal land manager make binding determinations of their existence and validity. The Administration anticipates that this bill will receive prompt attention by Congress. A copy of the draft bill is enclosed for your review.

In light of this pending legislation and the new procedures that will need to be followed, I ask that you defer any processing of R.S. 2477 assertions except in cases where there is a demonstrated, compelling, and immediate need to make such determinations.

This position is consistent with that taken by Secretary Babbitt as outlined in his January 22, 1997, letter (copy enclosed) to Interior agencies.

Any questions on this matter should be forwarded to WO Lands.

15/70r
Janice McDougle
ROBERT C. JOSLIN
Deputy Chief, NFS

Enclosure

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