

**Statement of
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Acting Assistant Director for Minerals, Realty and Resource Protection
Bureau of Land Management
House Resources Committee
Subcommittee on National Parks, Recreation and Public Lands**

**Hearing on H.R. 1658,
to amend the Railroad Right-of-Way Conveyance Validation Act
June 24, 2003**

Thank you for inviting me to testify regarding H.R. 1658, a private bill to amend the Railroad Right-of-Way Conveyance Validation Act. The administration has no objection to H.R. 1658.

In 1994, the Congress passed H.R. 1183, Private Law 103-2. The Act validated the conveyances of 50 small tracts of land in Nevada County and San Joaquin County, California. The lands involved were originally part of the right-of-way grant of the United States to the Central Pacific Railroad by an 1862 Act of Congress. The Southern Pacific Railroad (the successor to Central Pacific) appears to have made conveyances of small tracts of land in some of these cases, and in others, adjacent landowners have made inadvertent encroachments. Because under the original Act of 1862, a Federal reversionary interest existed if these rights-of-way were abandoned by the railroad, the 1994 Act was necessary to remove any cloud on the title of these small landowners.

The bill before us today amends the underlying Act by adding two additional small parcels in San Joaquin County, California. Based on information provided by the Committee, the parcels in question are at the northern end of the city of Stockton, California. According to the master title plat, maintained by the BLM, these parcels have been in private ownership for nearly a century. We see no conflict in clearing title for these lands through this legislation.

As with the underlying Act, the mineral estate on these lands is reserved to the Federal government and these lands are withdrawn from all forms of mineral entry, including mining, sand and gravel, other common materials, and mineral and geothermal leasing.

Thank you for the opportunity to testify. I'll be happy to answer any questions.