

107TH CONGRESS
2D SESSION

S. 2687

To facilitate the extension of the Alaska Railroad for national defense purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 26, 2002

Mr. MURKOWSKI introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To facilitate the extension of the Alaska Railroad for national defense 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 “National Defense Rail
5 Connection Act of 2002”.

6 **SEC. 2. FINDINGS.**

7 (a) A comprehensive rail transportation network is a
8 key element of an integrated transportation system for the
9 North American continent, and Federal leadership is re-
10 quired to address the needs of a reliable, safe, and secure

1 rail network, and to connect all areas of the United States
2 for national defense and economic development, as pre-
3 viously done for the interstate highway system, the Fed-
4 eral aviation network, and the transcontinental railroad.

5 (b) The creation and use of joint use corridors for
6 rail transportation, fiber optics, pipelines, and utilities are
7 an efficient and appropriate approach to optimizing the
8 Nation's interconnectivity and national security.

9 (c) Government assistance and encouragement in the
10 development of the transcontinental rail system success-
11 fully led to the growth of economically strong and socially
12 stable communities throughout the western United States.

13 (d) Government assistance and encouragement in the
14 development of the Alaska Railroad between Seward, Alas-
15 ka and Fairbanks, Alaska successfully led to the growth
16 of economically strong and socially stable communities
17 along the route, which today provide homes for over 70
18 percent of Alaska's total population.

19 (e) While Alaska and the remainder of the continental
20 United States has been connected by highway and air
21 transportation, no rail connection exists despite the fact
22 that Alaska is accessible by land routes and is a logical
23 destination for the North American rail system.

24 (f) Rail transportation in otherwise isolated areas is
25 an appropriate means of providing controlled access, re-

1 ducing overall impacts to environmentally sensitive areas
2 over other methods of land-based access.

3 (g) Because Congress originally authorized 1,000
4 miles of rail line to be built in Alaska, and because the
5 system today covers only approximately half that distance,
6 substantially limiting its beneficial effect on the economy
7 of Alaska and the Nation, it is appropriate to support the
8 expansion of the Alaska system to ensure the originally
9 planned benefits are achieved.

10 (h) Alaska has an abundance of natural resources,
11 both material and aesthetic, access to which would signifi-
12 cantly increase Alaska's contribution to the national econ-
13 omy.

14 (i) Alaska contains many key national defense instal-
15 lations, including sites chosen for the construction of the
16 first phase of the National Missile Defense system, the
17 cost of which could be significantly reduced if rail trans-
18 portation were available for the movement of materials
19 necessary for construction and for the secure movement
20 of launch vehicles, fuel and other operational supplies.

21 (j) The 106th Congress recognized the potential bene-
22 fits of establishing a rail connection to Alaska by enacting
23 legislation to authorize a U.S.-Canada bilateral commis-
24 sion to study the feasibility of linking the rail system in

1 Alaska to the nearest appropriate point in Canada of the
2 North American rail network.

3 (k) In support of pending bilateral activities between
4 the United States and Canada, it is appropriate for the
5 United States to undertake activities relating to elements
6 within the United States.

7 **SEC. 3. IDENTIFICATION OF NATIONAL DEFENSE RAIL-**
8 **ROAD-UTILITY CORRIDOR.**

9 (a) Within one year from the date of enactment of
10 this Act, the Secretary of the Interior, in consultation with
11 the Secretary of Transportation, the State of Alaska and
12 the Alaska Railroad Corporation, shall identify a proposed
13 national defense railroad-utility corridor linking the exist-
14 ing corridor of the Alaska Railroad to the vicinity of the
15 proposed National Missile Defense facilities at Fort
16 Greely, Alaska. The corridor shall be at least 500 feet wide
17 and shall also identify land for such terminals, stations,
18 maintenance facilities, switching yards, and material sites
19 as are considered necessary.

20 (b) The identification of the corridor under para-
21 graph (a) shall include information providing a complete
22 legal description for and noting the current ownership of
23 the proposed corridor and associated land.

1 (c) In identifying the corridor under paragraph (a),
2 the Secretary shall consider, at a minimum, the following
3 factors:

4 (1) The proximity of national defense installa-
5 tions and national defense considerations.

6 (2) The location of and access to natural re-
7 sources that could contribute to economic develop-
8 ment of the region.

9 (3) Grade and alignment standards that are
10 commensurate with rail and utility construction
11 standards and that minimize the prospect of at-
12 grade railroad and highway crossings.

13 (4) Availability of construction materials.

14 (5) Safety.

15 (6) Effects on and service to adjacent commu-
16 nities and potential intermodal transportation con-
17 nections.

18 (7) Environmental concerns.

19 (8) Use of public land to the maximum degree
20 possible.

21 (9) Minimization of probable construction costs.

22 (10) An estimate of probable construction costs
23 and methods of financing such costs through a com-
24 bination of private, State, and Federal sources.

1 (11) Appropriate utility elements for the cor-
2 ridor, including but not limited to petroleum product
3 pipelines, fiber-optic telecommunication facilities,
4 and electrical power transmission lines.

5 (12) Prior and established traditional uses.

6 (d) The Secretary may, as part of the corridor identi-
7 fication, include issues related to the further extension of
8 such corridor to a connection with the nearest appropriate
9 terminus of the North American rail network in Canada.

10 **SEC. 4. NEGOTIATION AND LAND TRANSFER.**

11 (a) The Secretary of the Interior shall—

12 (1) upon completion of the corridor identifica-
13 tion in section 3, negotiate the acquisition of any
14 lands in the corridor which are not federally owned
15 through an exchange for lands of equal or greater
16 value held by the Federal Government elsewhere in
17 Alaska; and

18 (2) upon completion of the acquisition of lands
19 under paragraph (1), the Secretary shall convey to
20 the Alaska Railroad Corporation, subject to valid ex-
21 isting rights, title to the lands identified under sec-
22 tion 3 as necessary to complete the national defense
23 railroad-utility corridor, on condition that the Alaska
24 Railroad Corporation construct in the corridor an
25 extension of the railroad system to the vicinity of the

1 proposed national missile defense installation at Fort
2 Greely, Alaska, together with such other utilities, in-
3 cluding but not limited to fiber-optic transmission
4 lines and electrical transmission lines, as it considers
5 necessary and appropriate. The Federal interest in
6 lands conveyed to the Alaska Railroad Corporation
7 under this Act shall be the same as in lands con-
8 veyed pursuant to the Alaska Railroad Transfer Act
9 (45 U.S.C. 1201 et seq.).

10 **SEC. 5. APPLICABILITY OF OTHER LAWS.**

11 Actions authorized in this Act shall proceed imme-
12 diately and to conclusion notwithstanding the land-use
13 planning provisions of section 202 of the Federal Land
14 Policy and Management Act of 1976, Public Law 94–579.

15 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums
17 as may be necessary to carry out the provisions of this
18 Act.

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