

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2784

To direct the Secretary of the Army to conduct a study on a prospective cross-harbor rail freight tunnel connecting Brooklyn, New York, with the west side of New York Harbor.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 28, 1993

Mr. NADLER introduced the following bill; which was referred to the Committee on Public Works and Transportation

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## A BILL

To direct the Secretary of the Army to conduct a study on a prospective cross-harbor rail freight tunnel connecting Brooklyn, New York, with the west side of New York Harbor.

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 “New York Harbor  
5        Tunnel Act of 1993”.

6        **SEC. 2. FINDINGS.**

7        Congress finds that—

1           (1) trans-harbor and trans-Hudson River trans-  
2           portation links in the vicinity of New York City have  
3           been the prospective targets of terrorists intent on  
4           taking the lives of innocent Americans and disrupt-  
5           ing the commerce of the United States;

6           (2) the security of such transportation infra-  
7           structure is vital to the economic and military secu-  
8           rity of the Nation;

9           (3) pursuant to a request by the city of New  
10          York, the New York Economic Development Cor-  
11          poration will initiate a study, in cooperation with  
12          and financed in part by the State of New York, to  
13          determine whether New York should build an addi-  
14          tional tunnel to transport rail freight across New  
15          York Harbor;

16          (4) an internal analysis conducted by the Army  
17          Corps of Engineers in 1941 concluded that it would  
18          be in the Nation's best interest to complete such a  
19          tunnel to help secure the transportation system of  
20          the northeastern United States against armed attack  
21          by foreign powers;

22          (5) previous studies of the potential for such a  
23          tunnel, conducted between 1920 and 1993, have con-  
24          cluded that various alignments and configurations,

1 including a tunnel from the State of New York to  
2 the State of New Jersey, might be feasible; and

3 (6) if such a tunnel were built, it would be em-  
4 ployed in the conduct of interstate commerce.

5 **SEC. 3. CROSS-HARBOR RAIL FREIGHT TUNNEL.**

6 (a) STUDY.—The Secretary of the Army shall con-  
7 duct a study, in cooperation with local, State, and munic-  
8 ipal authorities, on alternative physical and operational  
9 configurations of a prospective cross-harbor rail freight  
10 tunnel connecting Brooklyn, New York, with the west side  
11 of New York Harbor.

12 (b) COMPONENTS.—In conducting the study under  
13 subsection (a), the Secretary shall—

14 (1) determine whether the tunnel described in  
15 subsection (a) could improve the security of the  
16 transportation system of the region;

17 (2) recommend ways to optimize the security of  
18 such tunnel, including the use of operational and  
19 physical security measures;

20 (3) analyze which of the potential alignments  
21 and configurations for such tunnel is the most se-  
22 cure against attack, and determine the relative costs  
23 of construction for each such alignment;

24 (4) analyze how each alternative alignment for  
25 such tunnel could be constructed and which alter-

1 natives are feasible, consistent with the need for  
2 operational viability of the tunnel after completion  
3 and the need to protect the environment and to  
4 maintain navigation in New York Harbor during the  
5 construction phase and thereafter; and

6 (5) determine the costs of each feasible alter-  
7 native alignment for such tunnel, with and without  
8 the addition of operational or physical security  
9 measures.

10 (c) EXPERTS AND CONSULTANTS.—In conducting  
11 the study under subsection (a), the Secretary may procure  
12 temporary and intermittent services under section 3109(b)  
13 of title 5, United States Code.

14 (d) REPORT.—Not later than June 1, 1994, the Sec-  
15 retary shall transmit to the Committee on Public Works  
16 and Transportation of the House of Representatives and  
17 the Committee on Environment and Public Works of the  
18 Senate a report on the results of the study conducted  
19 under subsection (a).

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
21 authorized to be appropriated to carry out this section  
22 \$800,000 for fiscal year 1994. Such sums shall remain  
23 available until expended.

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