

shall be the exclusive protection applicable to Conrail employees deprived of employment or adversely affected by any such assumption or discontinuance.”

§ 1114. Repealed. Pub. L. 99-509, title IV, § 4033(c)(1)(C)(i)(III), Oct. 21, 1986, 100 Stat. 1908

Section, Pub. L. 97-35, title XI, §1166, Aug. 13, 1981, 95 Stat. 686, related to grant of trackage rights to any terminal railroad operating primarily in Philadelphia.

§ 1115. Redemption of stock

For the purpose of computing the amount for which certificates of value shall be redeemable under section 746 of this title, the series B preferred stock and the common stock conveyed to the Secretary under section 1107¹ of this title shall be deemed to be without fair market value unless in a proceeding brought under section 1105(a)(4) of this title the special court shall have determined that such securities had a value and shall have entered a judgment against the United States for that value. In such an event, the securities shall for purposes of section 746 of this title be deemed to have that value found by the special court.

(Pub. L. 97-35, title XI, §1167(b), Aug. 13, 1981, 95 Stat. 686.)

REFERENCES IN TEXT

Section 1107 of this title, referred to in text, was repealed by Pub. L. 99-509, title IV, §4033(c)(1)(C)(i)(I), Oct. 21, 1986, 100 Stat. 1908.

CODIFICATION

Section is comprised of subsec. (b) of section 1167 of Pub. L. 97-35. Subsec. (a) of section 1167 amended section 743 of this title. Subsec. (c) of section 1167, which was set out as subsec. (b) of this section and which provided that the clerk of the special court convey to the Secretary certain series B preferred stock and common stock of Conrail on deposit with the court, and authorized the Secretary to hold and exercise all rights to such Conrail securities, was repealed by Pub. L. 99-509, title IV, §4033(c)(1)(C)(i)(IV), Oct. 21, 1986, 100 Stat. 1908.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 719 of this title.

§ 1116. Applicability of other laws

(a) The provisions of chapters 5 and 7 of title 5 (popularly known as the Administrative Procedure Act and including provisions popularly known as the Government in the Sunshine Act), the Federal Advisory Committee Act, section 102(2)(C) of the National Environmental Policy Act of 1969 [42 U.S.C. 4332(2)(C)], the National Historic Preservation Act of 1966 [16 U.S.C. 470 et seq.], and section 303 of title 49 are inapplicable to actions taken in negotiating, approving, or implementing service transfers under title IV of the Regional Rail Reorganization Act of 1973 [45 U.S.C. 761 et seq.]¹ and to the implementation of the sale of the interest of the United States in Conrail under the Conrail Privatization Act [45 U.S.C. 1301 et seq.].

(b) The operation of trains by Conrail shall not be subject to the requirement of any State or local law which specifies the minimum num-

ber of crew members who must be employed in connection with the operation of such trains.

(Pub. L. 97-35, title XI, §1168, Aug. 13, 1981, 95 Stat. 687; Pub. L. 99-509, title IV, §4033(c)(1)(B), Oct. 21, 1986, 100 Stat. 1908.)

REFERENCES IN TEXT

The Administrative Procedure Act, referred to in subsec. (a), is act June 11, 1946, ch. 324, 60 Stat. 237, as amended, which was classified to sections 1001 to 1011 of former title 5 and which was repealed and reenacted as subchapter II (§551 et seq.) of chapter 5, and chapter 7 (§701 et seq.), of Title 5, Government Organization and Employees, by Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 378.

The Government in the Sunshine Act, referred to in subsec. (a), is Pub. L. 94-409, Sept. 13, 1976, 90 Stat. 1241, which enacted section 552b of Title 5, amended sections 551, 552, 556, and 557 of Title 5, section 10 of Pub. L. 92-463, set out in the Appendix to Title 5, and section 410 of Title 39, Postal Service, and enacted provisions set out as notes under section 552b of Title 5. For complete classification of this Act to the Code, see Short Title note set out under section 552b of Title 5 and Tables.

The Federal Advisory Committee Act, referred to in subsec. (a), is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5.

The National Historic Preservation Act of 1966, referred to in subsec. (a), probably means the National Historic Preservation Act, Pub. L. 89-665, Oct. 15, 1966, 80 Stat. 915, as amended, which is classified generally to subchapter II (§470 et seq.) of chapter 1A of Title 16, Conservation. For complete classification of this Act to the Code, see section 470(a) of Title 16 and Tables.

The Regional Rail Reorganization Act of 1973, referred to in subsec. (a), is Pub. L. 93-236, Jan. 2, 1974, 87 Stat. 985, as amended. Title IV of the Regional Rail Reorganization Act of 1973 was classified generally to subchapter IV (§761 et seq.) of chapter 16 of this title, and was repealed by Pub. L. 99-509, title IV, §4033(a)(1), Oct. 21, 1986, 100 Stat. 1908. For complete classification of this Act to the Code, see Short Title note set out under section 701 of this title and Tables.

The Conrail Privatization Act, referred to in subsec. (a), is subtitle A (§§4001-4052) of title IV of Pub. L. 99-509, Oct. 21, 1986, 100 Stat. 1892, which is classified principally to chapter 22 (§1301 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of this title and Tables.

CODIFICATION

In subsec. (a), “section 303 of title 49” substituted for “section 4(f) of the Department of Transportation Act of 1966 [49 U.S.C. 1653(f)]” on authority of Pub. L. 97-449, §6(b), Jan. 12, 1983, 96 Stat. 2443, the first section of which enacted subtitle I (§101 et seq.) and chapter 31 (§3101 et seq.) of subtitle II of Title 49, Transportation.

AMENDMENTS

1986—Subsec. (a). Pub. L. 99-509 inserted “and to the implementation of the sale of the interest of the United States in Conrail under the Conrail Privatization Act”.

CHAPTER 21—ALASKA RAILROAD TRANSFER

Sec.	
1201.	Findings.
1202.	Definitions.
1203.	Transfer authorization.
	(a) Authority of Secretary; time, manner, etc., of transfer.
	(b) Simultaneous and interim transfers, conveyances, etc.
	(c) Reservations to United States in interim conveyances and patents.
	(d) Certifications by Secretary; scope, subject matter, etc.

¹ See References in Text note below.

¹ See References in Text note below.

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1204. Transition period.</p> <p>(a) Joint report by Secretary and Governor of Alaska; contents, preparation, etc.</p> <p>(b) Inspection, etc., of rail properties and records; terms and conditions; restrictions.</p> <p>(c) Format for accounting practices and systems.</p> <p>(d) Fair market value; determination, terms and conditions, etc.</p> <p>1205. Lands to be transferred.</p> <p>(a) Availability of lands among rail properties.</p> <p>(b) Review and settlement of claims; administrative adjudication; management of lands; procedures applicable.</p> <p>(c) Judicial review; remedies available; standing of State.</p> <p>(d) Omitted.</p> <p>(e) Liability of State for damage to land while used under license.</p> <p>1206. Employees of Alaska Railroad.</p> <p>(a) Coverage under Federal civil service retirement laws; election, funding, nature of benefits, etc., for employees transferring to State-owned railroad; voluntary separation incentives.</p> <p>(b) Coverage for employees not transferring to State-owned railroad.</p> <p>(c) Rights and benefits of transferred employees whose employment with State-owned railroad is terminated.</p> <p>(d) Lump-sum payment for unused annual leave for employees transferring to State-owned railroad.</p> <p>(e) Continued coverage for certain employees and annuitants in Federal health benefits plans and life insurance plans.</p> <p>1207. State operation.</p> <p>(a) Laws, authorities, etc., applicable to State-owned railroad with status as rail carrier engaged in interstate and foreign commerce.</p> <p>(b) Procedures for issuance of certificate of public convenience and necessity; inventory, valuation, or classification of property; additional laws, authorities, etc., applicable.</p> <p>(c) Eligibility for participation in Federal railroad assistance programs.</p> <p>(d) Laws and regulations applicable to national forest and park lands; limitations on Federal actions.</p> <p>1208. Future rights-of-way.</p> <p>(a) Access across Federal lands; application approval.</p> <p>(b) Consultative requirements prior to approval of application; conformance of rights-of-way, etc.</p> <p>(c) Reversion to United States.</p> <p>1209. Reversion.</p> <p>(a) Reversion or payment to Federal Government for conversion to use preventing State-owned railroad from continuing to operate.</p> <p>(b) Reversion upon discontinuance by State of use of any land within right-of-way; criteria for discontinuance.</p> <p>(c) Conveyances by United States subsequent to reversion.</p> <p>(d) Discontinuance by State of use of national park or forest lands; jurisdiction upon reversion.</p> | <p>Sec.</p> <p>(e) Payment into Treasury of United States of excess proceeds from sale or transfer of all or substantially all of State-owned railroad; limitations.</p> <p>(f) Enforcement by Attorney General.</p> <p>1210. Other disposition.</p> <p>1211. Denali National Park and Preserve lands.</p> <p>1212. Applicability of other laws.</p> <p>(a) Actions subject to other laws.</p> <p>(b) Federal surplus property disposal; withdrawal or reservation of land for use of Alaska Railroad.</p> <p>(c) Ceiling on Government contributions for Federal employees health benefits insurance premiums.</p> <p>(d) Acreage entitlement of State or Native Corporation.</p> <p>(e) Judgments involving interests, etc., of Native Corporations.</p> <p>1213. Conflict with other laws.</p> <p>1214. Separability.</p> <p style="text-align: center;">CHAPTER REFERRED TO IN OTHER SECTIONS</p> <p>This chapter is referred to in section 231 of this title.</p> <p>§ 1201. Findings</p> <p>The Congress finds that—</p> <p>(1) the Alaska Railroad, which was built by the Federal Government to serve the transportation and development needs of the Territory of Alaska, presently is providing freight and passenger services that primarily benefit residents and businesses in the State of Alaska;</p> <p>(2) many communities and individuals in Alaska are wholly or substantially dependent on the Alaska Railroad for freight and passenger service and provision of such service is an essential governmental function;</p> <p>(3) continuation of services of the Alaska Railroad and the opportunity for future expansion of those services are necessary to achieve Federal, State, and private objectives; however, continued Federal control and financial support are no longer necessary to accomplish these objectives;</p> <p>(4) the transfer of the Alaska Railroad and provision for its operation by the State in the manner contemplated by this chapter is made pursuant to the Federal goal and ongoing program of transferring appropriate activities to the States;</p> <p>(5) the State's continued operation of the Alaska Railroad following the transfer contemplated by this chapter, together with such expansion of the railroad as may be necessary or convenient in the future, will constitute an appropriate public use of the rail system and associated properties, will provide an essential governmental service, and will promote the general welfare of Alaska's residents and visitors; and</p> <p>(6) in order to give the State government the ability to determine the Alaska Railroad's role in serving the State's transportation needs in the future, including the opportunity to extend rail service, and to provide a savings to the Federal Government, the Federal Government should offer to transfer the railroad to the State, in accordance with the provisions of this chapter, in the same manner in which other Federal transportation functions</p> |
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