

Public Law 94-436
94th Congress

An Act

Sept. 30, 1976
[H.R. 13325]

To amend the Regional Rail Reorganization Act of 1973 to authorize additional appropriations for the United States Railway Association, and for other purposes.

Regional Rail
Reorganization
Act of 1973,
amendment.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 214(c) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 724(c)) is amended to read as follows:

“(c) ASSOCIATION.—For the period beginning May 1, 1976, and ending September 30, 1977, there are authorized to be appropriated to the Association for purposes of carrying out its administrative expenses under this Act such sums as are necessary, not to exceed \$20,000,000. Sums appropriated under this subsection are authorized to remain available until September 30, 1978.”

45 USC 743.

SEC. 2. Section 206(d)(5) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 716(d)(5)) is amended by adding at the end thereof the following new sentence: “The Corporation, its Board of Directors, and its individual directors shall not be liable to any party, for money damages or in any other manner, solely by reason of the fact that the Corporation transferred property pursuant to section 303 of this Act to meet the needs of commuter or intercity rail passenger service, except as otherwise provided with respect to the Corporation pursuant to section 303(c)(2) of this Act.”

Ante, p. 109.

SEC. 3. The first sentence of section 303(c)(5) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 743(c)(5)) is amended to read as follows: “Whenever the special court, pursuant to section 303(b)(1) of this title, orders the transfer or conveyance of rail properties—

45 USC 716.

“(A) designated under section 206(c)(1)(C) or (D) of this Act, to the Corporation or any subsidiary thereof, the United States shall indemnify the Corporation against any costs or liabilities imposed on the Corporation as the result of any judgment entered against the Corporation, with respect to such properties, under paragraph (2) of this subsection; and

“(B) to the National Railroad Passenger Corporation, a profitable railroad operating in the region, a State, or any other responsible person (including a governmental entity), the United States shall indemnify such Corporation, railroad, State, or person against any costs or liabilities imposed thereon as the result of any judgment entered against such Corporation, railroad, State, or person under paragraph (3) of this subsection;

plus interest on the amount of such judgment at such rate as is constitutionally required.”

Ante, p. 98.

SEC. 4. Section 206(d) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 716(d)) is amended by adding at the end thereof the following new paragraph:

“(7) Notwithstanding any contrary provision in the options conveyed to the Corporation by railroads in reorganization, or railroads leased, operated, or controlled by a railroad in reorganization, with respect to the acquisition, on behalf of a State (or a local or regional transportation authority) of rail properties designated under section 206(c)(1)(D) of this title, such options shall not be deemed to have expired prior to 7 days after the date of enactment of this paragraph. The exercise by the Corporation of any such option shall be effective if it is made, prior to the expiration of such 7-day period, in the manner prescribed in such options.”

SEC. 5. Section 303(e) of the Regional Rail Reorganization Act of 1973 (45 U.S.C. 743(e)) is amended by adding "or which are made at any time to carry out the purposes of title VII of the Railroad Revitalization and Regulatory Reform Act of 1976 or of section 601(d) of this Act" at the end of the second parenthetical expression between "title" and the closing parenthesis.

Ante, p. 84.

Ante, p. 119.
45 USC 791.

Approved September 30, 1976.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 94-1124 (Comm. on Interstate and Foreign Commerce).

SENATE REPORT No. 94-1194 (Comm. on Commerce).

CONGRESSIONAL RECORD, Vol. 122 (1976):

June 7, considered and passed House.

Sept. 1, considered and passed Senate, amended.

Sept. 17, House concurred in Senate amendments, with amendments.

Sept. 20, Senate concurred in House amendments.