

isdiction of district courts in railroad reorganization proceedings.

Subsec. (h)(4)(D). Pub. L. 94-555, § 203(c), added subpar. (D).

Subsec. (h)(5)(B). Pub. L. 94-555, § 203(d), inserted provisions relating to filing proof of claim for administrative expense.

Subsec. (h)(6)(A)(i). Pub. L. 94-555, § 220(a), substituted "paragraph (1)(B)(v)" for "paragraph (1)(E)".

Subsec. (i). Pub. L. 94-210 added subsec. (i).  
1975—Subsec. (a). Pub. L. 94-5, § 5(a), substituted "for purposes of achieving the goals of this chapter" for "for purposes of assisting in the implementation of the final system plan".

Subsec. (e)(1). Pub. L. 94-5, § 5(b), substituted "achieve the goals of this chapter" for "carry out the final system plan".

Subsec. (f). Pub. L. 94-5, § 5(c), substituted "goals of this chapter" for "goals of the final system plan".

#### EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-448 effective Oct. 1, 1980, see section 710(a) of Pub. L. 96-448, set out as a note under section 1170 of Title 11, Bankruptcy.

#### EFFECTIVE DATE OF 1979 AMENDMENT

Amendment by Pub. L. 96-73 effective Nov. 4, 1978, see section 501(b) of Pub. L. 96-73, set out as a note under section 743 of this title.

#### EFFECTIVE DATE OF 1976 AMENDMENT

Amendment by Pub. L. 94-555 effective Oct. 1, 1976, see section 303 of Pub. L. 94-555, set out as a note under section 702 of this title.

#### ABOLITION OF UNITED STATES RAILWAY ASSOCIATION AND TRANSFER OF FUNCTIONS AND SECURITIES

See section 1341 of this title.

#### APPLICABILITY OF NATIONAL ENVIRONMENTAL POLICY ACT

Application of National Environmental Policy Act to actions of Commission not affected by title VI of Pub. L. 94-210, see section 619 of Pub. L. 94-210, set out as a note under section 791 of this title.

### § 722. Records, audit, and examination

#### (a) Records

Each recipient of financial assistance under this subchapter, whether in the form of loans, obligations, or other arrangements, shall keep such records as the Association or the Secretary shall prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such assistance and such other records as will facilitate an effective audit.

#### (b) Audit and examination

The Association, the Secretary, and the Comptroller General of the United States, or any of their duly authorized representatives shall, until the expiration of 3 years after the implementation of the final system plan, have access for the purpose of audit and examination to any books, documents, papers, and records of such recipients which in the opinion of the Association, the Secretary, or the Comptroller General may be related or pertinent to the loans, obligations or other arrangements referred to in subsection (a) of this section. The Association or any of its duly authorized representatives shall, until any financial assistance received under this subchapter has been repaid to the Association, have access to any such materials which concern any matter that may bear upon—

(1) the ability of the recipient of such financial assistance to make repayment within the time fixed therefor;

(2) the effectiveness with which the proceeds of such assistance is used; and

(3) the implementation of the final system plan and the realization of the declaration of policy of this chapter.

(Pub. L. 93-236, title II, § 212, Jan. 2, 1974, 87 Stat. 1002.)

#### ABOLITION OF UNITED STATES RAILWAY ASSOCIATION AND TRANSFER OF FUNCTIONS AND SECURITIES

See section 1341 of this title.

### § 723. Emergency assistance pending implementation

#### (a) Emergency assistance

The Secretary is authorized, pending the implementation of the final system plan, to pay to the trustees of railroads in reorganization such sums as are necessary for the continued provision of essential transportation services by such railroads. Such payments shall be made by the Secretary upon such reasonable terms and conditions as the Secretary establishes, except that recipients must agree to maintain and provide service at a level no less than that in effect on January 2, 1974. Where the Secretary and the trustees agree that funds provided pursuant to this section are to be used (together with funds provided pursuant to section 725 of this title, if any) to perform program maintenance on designated rail properties until the date rail properties are conveyed under this chapter or to improve such designated properties, such agreement shall contain the conditions set forth in section 725(b) of this title.

#### (b) Authorization of appropriations

There are authorized to be appropriated to the Secretary for carrying out this section such sums as are necessary, not to exceed \$282,000,000, to remain available until expended. Of amounts authorized to be appropriated under this subsection, \$50,000,000 shall be available solely to pay to the trustees of railroads in reorganization such sums as may be necessary to provide such railroads with amounts equal to revenues attributable to tariff increases proposed by such railroads and suspended by the Interstate Commerce Commission during the calendar year 1975, if the Secretary determines that such payments are necessary to carry out this section.

(Pub. L. 93-236, title II, § 213, Jan. 2, 1974, 87 Stat. 1003; Pub. L. 94-5, § 6, Feb. 28, 1975, 89 Stat. 8.)

#### AMENDMENTS

1975—Subsec. (a). Pub. L. 94-5, § 6(a), inserted provision that, where Secretary and trustees agree that funds provided pursuant to this section are to be used (together with funds provided pursuant to section 725 of this title, if any) to perform program maintenance on designated rail properties until date rail properties are conveyed under this chapter or to improve such designated properties, such agreement contain conditions set forth in section 725(b) of this title.

Subsec. (b). Pub. L. 94-5, § 6(b), substituted "\$282,000,000" for "\$85,000,000" and inserted provision that, of amounts authorized to be appropriated under this subsection \$50,000,000 be available solely to pay to