

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.)

#### Statutory Notes and Related Subsidiaries

##### 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 im-

prove 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.)

#### Editorial Notes

##### 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 trustees of railroads in reorganization sums necessary to provide railroads with amounts equal to revenues attributable to tariff increases proposed by railroads and suspended by Interstate Commerce Commission during calendar year 1975, if Secretary determines that payments are necessary to carry out this section.

#### Statutory Notes and Related Subsidiaries

##### ABOLITION OF INTERSTATE COMMERCE COMMISSION AND TRANSFER OF FUNCTIONS

Interstate Commerce Commission abolished and functions of Commission transferred, except as otherwise provided in Pub. L. 104-88, to Surface Transportation Board effective Jan. 1, 1996, by section 1302 of Title 49, Transportation, and section 101 of Pub. L. 104-88, set out as a note under section 1301 of Title 49. References to Interstate Commerce Commission deemed to refer to Surface Transportation Board, a member or employee of the Board, or Secretary of Transportation, as appropriate, see section 205 of Pub. L. 104-88, set out as a note under section 1301 of Title 49.

### § 724. Authorization of appropriations

#### (a) Secretary

There are authorized to be appropriated to the Secretary for purposes of preparing the reports and exercising other functions to be performed by him under this chapter such sums as are necessary, not to exceed \$12,500,000, to remain available until expended. There are authorized to be appropriated to the Secretary such sums as may be necessary to discharge the obligations of the United States arising under section 743(c)(5) of this title.