

provided in Pub. L. 104-88, to Surface Transportation Board effective Jan. 1, 1996, by section 702 of Title 49, Transportation, and section 101 of Pub. L. 104-88, set out as a note under section 701 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 701 of Title 49.

TERMINATION OF APPLICABILITY OF AMENDMENT TO INTERSTATE COMMERCE SERVICE ORDER 1498 ON MAY 15, 1982

Section 5(b) of Pub. L. 97-130 provided that: "The applicability of the amendment made by subsection (a) [amending subsec. (a) of this section] to Interstate Commerce Commission Service Order 1498 shall expire at the end of May 15, 1982."

§ 1018. Judicial review

(a) Appeals

Notwithstanding any other provision of law, any appeal from—

- (1) any decision of the bankruptcy court with respect to the constitutionality of any provision of this chapter; and
- (2) any decision of the court having jurisdiction over the reorganization of the Milwaukee Railroad with respect to the constitutionality of the Milwaukee Railroad Restructuring Act (45 U.S.C. 901 et seq.),

shall be taken to the United States Court of Appeals for the Seventh Circuit.

(b) Appellate proceedings

If appeals are taken from decisions described in subsection (a) of this section involving section 1005 or 1008¹ of this title or section 9 or 15 of the Milwaukee Railroad Restructuring Act [45 U.S.C. 908 or 915], the court of appeals shall determine such appeals in a consolidated proceeding, sitting en banc.

(c) Action in United States Court of Claims

Nothing in this chapter or in the Milwaukee Railroad Restructuring Act (45 U.S.C. 901 et seq.) shall limit the right of any person to commence an action in the United States Court of Claims¹ under section 1491 of title 28 (commonly referred to as the Tucker Act).

(Pub. L. 96-254, title I, §124, as added Pub. L. 96-448, title VII, §701(a)(1), Oct. 14, 1980, 94 Stat. 1959; amended Pub. L. 98-620, title IV, §402(49), Nov. 8, 1984, 98 Stat. 3361.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (a)(1) and (c), was in the original "this title", meaning title I (§101 et seq.) of Pub. L. 96-254, May 30, 1980, 94 Stat. 399, as amended, known as the Rock Island Railroad Transition and Employee Assistance Act, which is classified principally to this chapter. For complete classification of title I to the Code, see Short Title note set out under section 1001 of this title and Tables.

The Milwaukee Railroad Restructuring Act, referred to in subsecs. (a)(2) and (c), is Pub. L. 96-101, Nov. 4, 1979, 93 Stat. 736, as amended, which is classified principally to chapter 18 (§901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 901 of this title and Tables.

¹ See References in Text note below.

Section 1008 of this title, referred to in subsec. (b), was repealed by Pub. L. 97-468, title II, §234(a), Jan. 14, 1983, 96 Stat. 2547.

The United States Court of Claims, referred to in subsec. (c), and the United States Court of Customs and Patent Appeals were merged effective Oct. 1, 1982, into a new United States Court of Appeals for the Federal Circuit by Pub. L. 97-164, Apr. 2, 1982, 96 Stat. 25, which also created a United States Claims Court [now United States Court of Federal Claims] that inherited the trial jurisdiction of the Court of Claims. See sections 48, 171 et seq., 791 et seq., and 1491 et seq. of Title 28, Judiciary and Judicial Procedure.

AMENDMENTS

1984—Subsec. (b). Pub. L. 98-620 struck out provision requiring the court to render a final decision no later than 60 days after the filing of the last such appeal.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-620 not applicable to cases pending on Nov. 8, 1984, see section 403 of Pub. L. 98-620, set out as a note under section 1657 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE

Section effective Oct. 14, 1980, see section 710(d) of Pub. L. 96-448, set out as an Effective Date of 1980 Amendment note under section 1170 of Title 11, Bankruptcy.

CHAPTER 20—NORTHEAST RAIL SERVICE

Sec.	
1101.	Congressional findings and declarations.
1102.	Statement of purpose.
1103.	Goals and objectives.
1104.	Definitions.
1105.	Judicial review. <ol style="list-style-type: none"> (a) Special court; exclusive jurisdiction for civil actions. (b) Appeal. (c) Scope of review of administrative actions.
1106.	Exemption from transfer taxes and fees; recordation.
1107.	Repealed.
1108.	Concerted economic action. <ol style="list-style-type: none"> (a) Strikes interfering with rail freight service of Conrail. (b) Strikes interfering with Amtrak Commuter's rail passenger service. (c) Railway Labor Act deemed violated.
1109.	Effectuation of cost reductions.
1110, 1111.	Repealed.
1112.	Interstate Commerce Commission proceedings. <ol style="list-style-type: none"> (a) Final decisions involving railroads in bankruptcy. (b) Final decisions involving profitable railroads. (c) Interest of United States attaching in bankruptcy, liquidation, abandonment, etc.
1113.	Intercity passenger service. <ol style="list-style-type: none"> (a) Responsibility of Conrail to provide crews terminated; negotiations for employee transfers. (b) Eligibility of employees for employee protection benefits.
1114.	Repealed.
1115.	Redemption of stock.
1116.	Applicability of other laws.

§ 1101. Congressional findings and declarations

The Congress finds and declares that—

- (1) the processes set in motion by the Regional Rail Reorganization Act of 1973 [45