

Public Law 93-584

AN ACT

January 2, 1975
[S. 663]

To improve judicial machinery by amending title 28, United States Code, with respect to judicial review of decisions of the Interstate Commerce Commission and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 1336 (a) of title 28, United States Code, is amended to read as follows:

ICC decisions.
Judicial review.

“(a) Except as otherwise provided by Act of Congress, the district courts shall have jurisdiction of any civil action to enforce, in whole or in part, any order of the Interstate Commerce Commission, and to enjoin or suspend, in whole or in part, any order of the Interstate Commerce Commission for the payment of money or the collection of fines, penalties, and forfeitures.”

SEC. 2. Section 1398 (a) of title 28, United States Code is amended to read as follows:

“(a) Except as otherwise provided by law, a civil action brought under section 1336 (a) of this title shall be brought only in a judicial district in which any of the parties bringing the action resides or has its principal office.

Supra.

SEC. 3. Section 2341 (3) (A) of title 28, United States Code, is amended by inserting following “Federal Maritime Commission,” the words “the Interstate Commerce Commission,”.

SEC. 4. Section 2342 of title 28, United States Code, is amended as follows:

(a) In the paragraph designated “(3)”, following the semicolon, strike “and”;

(b) In the paragraph designated “(4)”, strike the period and insert in lieu thereof a semicolon followed by the word “and”;

(c) Add a new paragraph “(5)” as follows:

“(5) all rules, regulations, or final orders of the Interstate Commerce Commission made reviewable by section 2321 of this title.”

Intra.

SEC. 5. Section 2321 of title 28, United States Code, is amended to read:

“§ 2321. Judicial review of Commission’s orders and decisions; procedure generally; process

28 USC 2321.

“(a) Except as otherwise provided by an Act of Congress, a proceeding to enjoin or suspend, in whole or in part, a rule, regulation, or order of the Interstate Commerce Commission shall be brought in the court of appeals as provided by and in the manner prescribed in chapter 158 of this title.

28 USC 2341.

“(b) The procedure in the district courts in actions to enforce, in whole or in part, any order of the Interstate Commerce Commission other than for payment of money or the collection of fines, penalties, and forfeitures, shall be as provided in this chapter.

“(c) The orders, writs, and process of the district courts may, in the cases specified in subsection (b) and in the cases and proceedings under section 20 of the Act of February 4, 1887, as amended (24 Stat. 386; 49 U.S.C. 20), section 23 of the Act of May 16, 1942, as amended (56 Stat. 301; 49 U.S.C. 23), and section 3 of the Act of February 19, 1903, as amended (32 Stat. 848; 49 U.S.C. 43), run, be served and be returnable anywhere in the United States.”

Ante, p. 1709.

SEC. 6. The first paragraph of section 2323 of title 28, United States Code, is amended to read as follows:

“The Attorney General shall represent the Government in the actions specified in section 2321 of this title and in actions under section 20 of the Act of February 4, 1887, as amended (24 Stat. 386; 49 U.S.C. 20), section 23 of the Act of May 16, 1942, as amended (56

Supra.

Ante, p. 1709.
Repeals.

Stat. 301; 49 U.S.C. 23), and section 3 of the Act of February 19, 1903, as amended (32 Stat. 848; 49 U.S.C. 43)."

SEC. 7. Sections 2324 and 2325 of title 28, United States Code, are hereby repealed.

SEC. 8. The table of sections of chapter 157 of title 28, United States Code, is amended to read:

"Chapter 157.—INTERSTATE COMMERCE COMMISSION ORDERS; ENFORCEMENT AND REVIEW

- "Sec.
- "2321. Judicial review of Commission's orders and decisions; procedure generally; process.
- "2322. United States as party.
- "2323. Duties of Attorney General; intervenors."

SEC. 9. The proviso in section 205(g) of the Motor Carrier Act, as amended (49 Stat. 550; 49 U.S.C. 305(g)), is amended by striking "file a bill of complaint with the appropriate District Court of the United States, convened under section 2284 of title 28 of the United States" and inserting in lieu thereof "commerce appropriate judicial proceedings in a court of the United States under those provisions of law applicable in the case of proceedings to enjoin or suspend rules, regulations, or orders of the Commission".

Nonapplicability.
28 USC 2321
note.

SEC. 10. This Act shall not apply to any action commenced on or before the last day of the first month beginning after the date of enactment. However, actions to enjoin or suspend orders of the Interstate Commerce Commission which are pending when this Act becomes effective shall not be affected thereby, but shall proceed to final disposition under the law existing on the date they were commenced.

Approved January 2, 1975.

Public Law 93-585

AN ACT

January 2, 1975
[S. 1418]

To recognize the fifty years of extraordinary and selfless public service of Herbert Hoover, including his many great humanitarian endeavors, his chairmanship of two Commissions of the Organization of the Executive Branch, and his service as thirty-first President of the United States, and in commemoration of the one hundredth anniversary of his birth on August 10, 1874, by providing grants to the Hoover Institution on War, Revolution, and Peace.

Hoover Institution on War, Revolution, and Peace, Stanford University, Calif. Grants.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to establish an appropriate memorial to the late President Herbert Hoover, the Secretary of the Treasury (hereinafter referred to as the "Secretary") is authorized to make grants, in accordance with the provisions of this Act, to the Hoover Institution on War, Revolution, and Peace, Stanford University, Stanford, California.

(b) No grant may be made under this Act for any fiscal year unless—

- (1) the Secretary determines that the total of such grants for that year will not exceed the total amount of gifts, bequests, and devises of money, securities, and other property, made after the date of enactment of this Act, for that year for the benefit of the Hoover Institution on War, Revolution, and Peace; and
- (2) the Hoover Institution on War, Revolution, and Peace furnishes to the Secretary such information at such times and in such manner as he may require.