

Public Law 93-5

JOINT RESOLUTION

To extend the provisions of the Railway Labor Act and for other purposes.

February 9, 1973
[S. J. Res. 59]

Whereas a labor dispute exists between the Penn Central Transportation Company and certain of its employees represented by the United Transportation Union, arising out of the Penn Central Transportation Company's implementation of a plan to eliminate approximately five thousand seven hundred train crew positions; and

Whereas the recommendations of Presidential Emergency Board Number 180 did not result in a settlement of this dispute, and all procedures for resolving such dispute provided for in the Railway Labor Act have been exhausted; and

Whereas such dispute has now resulted in a cessation of the Penn Central Transportation Company's rail carrier operations; and

Whereas such cessation of operations by the Penn Central Transportation Company, a rail carrier which transports two hundred and twenty five thousand passengers a day and 20 per centum of the Nation's freight, and which provides many necessary connections with numerous other rail carriers operating throughout the Nation, threatens essential transportation services vital to the national health and safety; and

Whereas the Penn Central Transportation Company is now undergoing reorganization proceedings under section 77 of the Federal Bankruptcy Act, and its court-appointed trustees have indicated that present reorganization proceedings will not be successful, even with the eventual elimination of five thousand seven hundred train crew positions, alone, and that a massive infusion of Federal financial assistance would be needed; and

Whereas the financial crisis of the Penn Central Transportation Company is so acute that cessation of its operations for even a short period of time, may make it financially impossible to resume operations; and

Whereas failure of the Penn Central Transportation Company to resume operations, in addition to the previously stated impact on vital transportation services throughout the Nation, will further threaten the continued operation of other financially-imperiled rail carriers in the Northeast section of the Nation; and

Whereas the President has not provided the Congress with any proposals for preserving essential rail services in the Northeast section of the Nation, including those services which would be jeopardized by financial collapse of the Penn Central Company; and

Whereas the Congress finds that emergency measures are necessary to assure the continuity of essential rail transportation services: Now, therefore, in order to encourage the parties to the dispute to reach their own agreement, and to provide time for the submission to Congress of a comprehensive plan for preserving essential rail services in the Northeast section of the Nation; be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the final paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) shall apply and be extended for an additional period commencing at the expiration of the thirty-day period provided for in the third paragraph of section 10 of the Railway Labor Act (45 U.S.C. 160) and ending at 12:01 antemeridian May 9, 1973, so that during such period no change except by agreement shall be made by the Penn Central Transportation Company or its employees

Railroad labor-
management dis-
pute.
Strike prohibi-
tion, extension.
44 Stat. 586.

or by order of any court in the conditions out of which such dispute arose.

Report to
Congress.

SEC. 2. Not later than forty-five days from the enactment of this joint resolution the Secretary of Transportation shall submit to the Congress a report which, regardless of the settlement of the particular dispute between the Penn Central Transportation Company and its employees represented by the United Transportation Union, provides a full and comprehensive plan for the preservation of essential rail transportation services in the Northeast section of the Nation, including the President's proposals, if any, regarding Federal financial expenditures necessary for restoration or preservation of rail transportation services imperiled by the financial failure of rail carriers, and for alternative means for providing essential transportation services now provided by such carriers.

Report to
Congress.

SEC. 3. Not later than thirty days prior to the expiration date specified in the first section of this joint resolution, the Secretary of Labor shall submit to the Congress a full and comprehensive report containing—

(1) the progress, if any, of negotiations between the Penn Central Transportation Company and its employees represented by the United Transportation Union; and

(2) any such recommendations for a proposed solution of the dispute described in this joint resolution as he deems appropriate.

Approved February 9, 1973.