

Public Law 90-9

AN ACT

To terminate the Indian Claims Commission, and for other purposes.

April 10, 1967
[H. R. 2536]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 23 of the Act entitled "An Act to create an Indian Claims Commission, to provide for the powers, duties, and functions thereof, and for other purposes", approved August 13, 1946 (60 Stat. 1049, 1055), as amended (75 Stat. 92; 25 U.S.C. 70v), is hereby amended to read as follows:

Indian Claims Commission.

"SEC. 23. The existence of the Commission shall terminate at the end of ten years from and after April 10, 1962, or at such earlier time as the Commission shall have made its final report to the Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States."

Termination date.

SEC. 2. Subsection (a) of section 3 of said Act, as amended (25 U.S.C. 70b), is further amended to read as follows:

60 Stat. 1050.
Membership.

"SEC. 3. (a) The Commission shall consist of five Commissioners who shall be appointed by the President, by and with the advice and consent of the Senate. The President shall designate one Commissioner as Chairman. At all times at least three Commissioners shall be members of the bar of the Supreme Court of the United States in good standing. No more than three Commissioners shall be of the same political party. Each Commissioner shall take an oath to support the Constitution of the United States and to discharge faithfully the duties of his office.

"The persons holding the offices of Chief Commissioner and Associate Commissioner of the Indian Claims Commission on April 9, 1967, shall continue in office serving as Commissioners of the Indian Claims Commission until June 30, 1968, unless prior to that date the President shall appoint them pursuant to this section."

SEC. 3. Subsection (d) of said section 3, as amended, is further amended by striking out "Two members" and inserting in lieu thereof "Three Commissioners" and by striking out "two members" and inserting in lieu thereof "three Commissioners."

SEC. 4. Sections 6 and 18 of said Act (25 U.S.C. 70e and 70q) are each amended by striking out "Chief Commissioner" and inserting in lieu thereof "Chairman".

SEC. 5. The Act of August 13, 1946, as amended (25 U.S.C. 70-70v.), is amended by adding at the end thereof a new section as follows:

"TRIAL CALENDAR

"SEC. 27. (a) The Commission shall, not later than one year after the effective date of this section, prepare a trial calendar which will set a date, not later than December 31, 1970, for the trial of each claim pending before the Commission.

"(b) If a claimant fails to proceed with the trial of its claim on the date set for that purpose, the Commission shall enter an order dismissing the claim with prejudice unless for good cause the Commission grants a continuance, which continuance shall be for a period of not more than six months. No further continuances shall be granted upon motion of the same party except upon a showing that unforeseeable events beyond the control of the party have occurred which make it imperative that such further continuances be granted, and in no event shall such further continuances exceed an aggregate of six months. If, upon the expiration of the final period of continuance granted, the claimant fails to proceed with the trial of its claim, the Commission

shall enter an order dismissing the claim with prejudice. The Commission may, however, stay the entry of any such order if it finds that a final compromise of the claim is being negotiated in good faith by the parties.”

SEC. 6. Section 5316 of title 5, United States Code, is amended by striking out paragraph (46) and by amending paragraph (47) to read as follows:

“(47) Commissioners, Indian Claims Commission (5).”

Approved April 10, 1967.

Public Law 90-10

JOINT RESOLUTION

To extend the period for making no change of conditions under section 10 of the Railway Labor Act applicable in the current dispute between the railroad carriers represented by the National Railway Labor Conference and certain of their employees.

Whereas disputes exist between the carriers represented by the National Railway Labor Conference and certain of their employees represented by the International Association of Machinists and Aerospace Workers; International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers; Sheet Metal Workers' International Association; International Brotherhood of Electrical Workers; Brotherhood of Railway Carmen of America; International Brotherhood of Firemen and Oilers functioning through the Railway Employees' Department, AFL-CIO, labor organizations; and

Whereas the President of the United States, pursuant to the provisions of section 10 of the Railway Labor Act, by Executive Order No. 11324 of January 28, 1967, created an Emergency Board to investigate these disputes and report its findings; and

Whereas the Emergency Board has reported and the statutory period for making no change of conditions, as extended by agreement of the parties, is about to expire, without the parties having resolved the issues in dispute, thereby continuing to threaten substantially to interrupt interstate commerce to a degree such as to deprive the country of essential transportation services; and

Whereas it is essential to the national interest, including the national health and defense, that essential transportation services be maintained; and

Whereas the Congress finds that an emergency measure is essential to security and continuity of transportation services by such carriers; and

Whereas it is desirable to achieve the above objectives in a manner conducive to resolution of the disputes through collective bargaining: Therefore 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 be extended for an additional period with respect to the disputes referred to in Executive Order No. 11324 of January 28, 1967, so that no change, except by agreement, shall be made by the carriers represented by the National Railway Labor Conference, or by their employees, in the conditions out of which such disputes arose prior to 12:01 a.m. of May 3, 1967.

Approved April 12, 1967.

80 Stat. 464.

April 12, 1967
[S. J. Res. 65]

44 Stat. 586.
45 USC 160.
32 F. R. 1075.

Railroad-labor negotiations, extension.