

been or may be recognized in accordance with the provisions of this chapter, to select and designate four representatives who shall constitute a board which shall be known as the "National Air Transport Adjustment Board." Two members of said National Air Transport Adjustment Board shall be selected by said carriers by air and two members by the said labor organizations of the employees, within thirty days after the date of the order of the National Mediation Board, in the manner and by the procedure prescribed by section 153 of this title for the selection and designation of members of the National Railroad Adjustment Board. The National Air Transport Adjustment Board shall meet within forty days after the date of the order of the National Mediation Board directing the selection and designation of its members and shall organize and adopt rules for conducting its proceedings, in the manner prescribed in section 153 of this title. Vacancies in membership or office shall be filled, members shall be appointed in case of failure of the carriers or of labor organizations of the employees to select and designate representatives, members of the National Air Transport Adjustment Board shall be compensated, hearings shall be held, findings and awards made, stated, served, and enforced, and the number and compensation of any necessary assistants shall be determined and the compensation of such employees shall be paid, all in the same manner and to the same extent as provided with reference to the National Railroad Adjustment Board by section 153 of this title. The powers and duties prescribed and established by the provisions of section 153 of this title with reference to the National Railroad Adjustment Board and the several divisions thereof are conferred upon and shall be exercised and performed in like manner and to the same extent by the said National Air Transport Adjustment Board, not exceeding, however, the jurisdiction conferred upon said National Air Transport Adjustment Board by the provisions of this subchapter. From and after the organization of the National Air Transport Adjustment Board, if any system, group, or regional board of adjustment established by any carrier or carriers by air and any class or classes of its or their employees is not satisfactory to either party thereto, the said party, upon ninety days' notice to the other party, may elect to come under the jurisdiction of the National Air Transport Adjustment Board.

(May 20, 1926, ch. 347, §205, as added Apr. 10, 1936, ch. 166, 49 Stat. 1190.)

#### § 186. Omitted

##### Editorial Notes

###### CODIFICATION

Section, act May 20, 1926, ch. 347, §206, as added Apr. 10, 1936, ch. 166, 49 Stat. 1191, transferred certain pending cases before National Labor Relations Board to Mediation Board.

#### § 187. Separability

If any provision of this subchapter or application thereof to any person or circumstance is held invalid, the remainder of such sections and

the application of such provision to other persons or circumstances shall not be affected thereby.

(May 20, 1926, ch. 347, §207, as added Apr. 10, 1936, ch. 166, 49 Stat. 1191.)

#### § 188. Authorization of appropriations

There is authorized to be appropriated such sums as may be necessary for expenditure by the Mediation Board in carrying out the provisions of this chapter.

(May 20, 1926, ch. 347, §208, as added Apr. 10, 1936, ch. 166, 49 Stat. 1191.)

### CHAPTER 9—RETIREMENT OF RAILROAD EMPLOYEES

#### SUBCHAPTER I—RAILROAD RETIREMENT ACT OF 1934

Sec.

201 to 214. Omitted or Repealed.

#### SUBCHAPTER II—RAILROAD RETIREMENT ACT OF 1935

215 to 228. Omitted.

#### SUBCHAPTER III—RAILROAD RETIREMENT ACT OF 1937

228a to 228z-1. Omitted or Repealed.

#### SUBCHAPTER IV—RAILROAD RETIREMENT ACT OF 1974

- 231. Definitions.
- 231a. Annuity eligibility requirements.
- 231b. Computation of annuities.
- 231c. Computation of spouse and survivor annuities.
- 231d. Annuity beginning and ending dates.
- 231e. Lump sum payments.
- 231f. Railroad Retirement Board.
- 231f-1. Annual actuarial report.
- 231g. Court jurisdiction.
- 231h. Returns of compensation; conclusiveness.
- 231i. Erroneous payments.
- 231j. Waiver of annuities.
- 231k. Incompetence.
- 231l. Penalties.
- 231m. Assignability; exemption from levy.
- 231n. Railroad Retirement Account.
- 231n-1. Social Security Equivalent Benefit Account.
- 231o. Private pensions.
- 231p. Free transportation.
- 231q. Crediting service under Social Security Act.
- 231r. Automatic benefit eligibility requirement adjustments.
- 231s. Separability.
- 231t. Short title.
- 231u. Benefit preservation.
- 231v. Computation and certification of account benefit ratios.

#### SUBCHAPTER I—RAILROAD RETIREMENT ACT OF 1934

#### §§ 201 to 208. Omitted

##### Editorial Notes

###### CODIFICATION

Sections 201 to 208, sections 1 to 8, respectively, of act June 27, 1934, ch. 868, §1, 48 Stat. 1283-1286, were omitted pursuant to the decision in the case of *Railroad Retirement Board v. Alton R. Co.* (Dist. of Col., 1935), 295 U.S. 330, 55 S.Ct. 758, 79 L.Ed. 1468, declaring this subchapter unconstitutional.

Section 201 defined terms for purposes of this subchapter.