

and conclusions of law based upon such record. Orders of transfer and such other orders as the panel may make thereafter shall be filed in the office of the clerk of the district court of the transferee district and shall be effective when thus filed. The clerk of the transferee district court shall forthwith transmit a certified copy of the panel's order to transfer to the clerk of the district court from which the action is being transferred. An order denying transfer shall be filed in each district wherein there is a case pending in which the motion for transfer has been made.

“(d) The judicial panel on multidistrict litigation shall consist of seven circuit and district judges designated from time to time by the Chief Justice of the United States, no two of whom shall be from the same circuit. The concurrence of four members shall be necessary to any action by the panel.

“(e) No proceedings for review of any order of the panel may be permitted except by extraordinary writ pursuant to the provisions of title 28, section 1651, United States Code. Petitions for an extraordinary writ to review an order of the panel to set a transfer hearing and other orders of the panel issued prior to the order either directing or denying transfer shall be filed only in the court of appeals having jurisdiction over the district in which a hearing is to be or has been held. Petitions for an extraordinary writ to review an order to transfer or orders subsequent to transfer shall be filed only in the court of appeals having jurisdiction over the transferee district. There shall be no appeal or review of an order of the panel denying a motion to transfer for consolidated or coordinated proceedings.

“(f) The panel may prescribe rules for the conduct of its business not inconsistent with Acts of Congress and the Federal Rules of Civil Procedure.

“(g) Nothing in this section shall apply to any action in which the United States is a complainant arising under the antitrust laws. ‘Antitrust laws’ as used herein include those acts referred to in the Act of October 15, 1914, as amended (38 Stat. 730; 15 U.S.C. 12), and also include the Act of June 19, 1936 (49 Stat. 1526; 15 U.S.C. 13, 13a, and 13b) and the Act of September 26, 1914, as added March 21, 1938 (52 Stat. 116, 117; 15 U.S.C. 56); but shall not include section 4A of the Act of October 15, 1914, as added July 7, 1955 (69 Stat. 282; 15 U.S.C. 15a).”

SEC. 2. The analysis to chapter 87 of title 28, United States Code, is amended by inserting the following new section:

“1407. Multidistrict litigation.”

after

“1406. Cure or waiver of defects.”

Approved April 29, 1968.

Public Law 90-297

AN ACT

To authorize appropriations for the saline water conversion program for fiscal year 1969, 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 8 of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.) is further amended to read as follows:

“SEC. 8. There are authorized to be appropriated such sums, to remain available until expended, as may be specified in annual appro-

Panel circuit  
and district  
judges.

Judicial review.

62 Stat. 944.

Rules of con-  
duct.

28 USC app.

Exemption.

“Antitrust  
laws.”

April 29, 1968  
[S. 2912]

Saline water  
conversion pro-  
gram.

Appropriations.  
75 Stat. 629;  
81 Stat. 78.

priation authorization acts (a) to carry out the provisions of this Act during the fiscal years 1962 to 1972, inclusive; (b) to finance, for not more than two years beyond the end of said period, such grants, contracts, cooperative agreements, and studies as may theretofore have been undertaken pursuant to this act; and (c) to finance, for not more than three years beyond the end of said period, such activities as are required to correlate, coordinate, and round out the results of studies and research undertaken pursuant to this Act. Effective July 1, 1968, no new commitments shall be made under authority of this Act for cooperation with public or private agencies in foreign countries which require the expenditure of funds appropriated pursuant to this Act, but funds so appropriated shall be available to carry out commitments made before said date."

Foreign commitments, restrictions.

SEC. 2. There is authorized to be appropriated to carry out the provisions of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.), during fiscal year 1969 the sum of \$24,556,000 as follows:

(a) Research and development operating expenses, not more than \$17,274,000;

(b) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities, not more than \$4,292,000;

(c) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, not more than \$1,175,000; and

(d) Administration and coordination, not more than \$1,815,000: *Provided*, That expenditures and obligations under any of these items except the last may be increased by not more than ten per centum if such increase is accompanied by an equal decrease in expenditures and obligations under one or more of the other items, including the last.

SEC. 3. In addition to the sums authorized to be appropriated by this Act, the Secretary may utilize any funds previously appropriated for this program which are not obligated on June 30, 1968, subject to the dollar limitations applicable to the fiscal year 1968 program.

Approved April 29, 1968.

## Public Law 90-298

### AN ACT

To amend provisions of the Shipping Act, 1916, to authorize the Federal Maritime Commission to permit a common carrier by water in foreign commerce or conference of such carriers to refund a portion of the freight charges.

April 29, 1968  
[H. R. 9473]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 18(b) of the Shipping Act, 1916 (46 U.S.C. 817 (b)), is amended by changing the period at the end of subsection (3) thereof to a colon and adding the following proviso: "*Provided, however*, That the Federal Maritime Commission may in its discretion and for good cause shown permit a common carrier by water in foreign commerce or conference of such carriers to refund a portion of freight charges collected from a shipper or waive the collection of a portion of the charges from a shipper where it appears that there is an error in a tariff of a clerical or administrative nature or an error due to inadvertence in failing to file a new tariff and that such refund or waiver will not result in discrimination among shippers: *Provided further*, That the common carrier by water in foreign commerce or conference of such carriers has, prior to applying for authority to make refund, filed a new tariff with the Federal Maritime Commission which sets forth the rate on which such refund or

Vessels.  
Freight charges.  
75 Stat. 764.