

117TH CONGRESS
2D SESSION

S. J. RES. 61

To provide for the resolution of issues in a railway labor-management dispute,
and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 12, 2022

Mr. BURR (for himself and Mr. WICKER) introduced the following joint resolution; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

JOINT RESOLUTION

To provide for the resolution of issues in a railway labor-management dispute, and for other purposes.

Whereas the labor disputes between certain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and their employees represented by certain labor organizations threaten to interrupt essential transportation services of the United States;

Whereas continuous service of essential transportation is in the national interest, including the national health, agriculture, interstate commerce, and defense;

Whereas the President, by Executive Order 14077 of July 15, 2022 (87 Fed. Reg. 43203; relating to establishing an emergency board to investigate disputes between cer-

tain railroads represented by the National Carriers' Conference Committee of the National Railway Labor Conference and their employees represented by certain labor organizations), and pursuant to the provisions of section 10 of the Railway Labor Act (45 U.S.C. 160), created Presidential Emergency Board Numbered 250 to investigate the disputes and report findings;

Whereas the recommendations of Presidential Emergency Board Numbered 250, issued on August 16, 2022, have not resulted in settlement of all of the disputes;

Whereas all the procedures provided under the Railway Labor Act for resolving the disputes will be exhausted as of 12:01 a.m. eastern daylight time on September 16, 2022, at which time essential transportation services will be subject to interruption;

Whereas Congress, under the Commerce Clause of the Constitution, has the authority and responsibility to ensure the uninterrupted operation of interstate commerce and essential transportation services; and

Whereas Congress has in the past enacted legislation for such purposes: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
 2 *of the United States of America in Congress assembled,*
 3 **SECTION 1. CONDITIONS FOR RESOLVING DISPUTES.**

4 With respect to any disputes referred to in Executive
 5 Order 14077 of July 15, 2022 (87 Fed. Reg. 43203; relat-
 6 ing to establishing an emergency board to investigate dis-
 7 putes between certain railroads represented by the Na-
 8 tional Carriers' Conference Committee of the National

1 Railway Labor Conference and their employees rep-
2 resented by certain labor organizations), that are not re-
3 solved pursuant to mutual, written agreement by 12:01
4 a.m. eastern daylight time on September 16, 2022, the
5 provisions of the Report and Recommendations of Presi-
6 dential Emergency Board Numbered 250, issued on Au-
7 gust 16, 2022, applicable to such disputes shall be binding
8 on the parties to such disputes and shall have the same
9 effect as though arrived at by agreement of such parties
10 under the Railway Labor Act (45 U.S.C. 151 et seq.).

11 **SEC. 2. MUTUAL AGREEMENT PRESERVED.**

12 Nothing in this joint resolution shall prevent a mu-
13 tual, written agreement by the parties described in section
14 1 to any terms and conditions that are different from
15 those established by this joint resolution.

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