

Calendar No. 240

112TH CONGRESS
1ST SESSION

S. J. RES. 30

Extending the cooling-off period under section 10 of the Railway Labor Act with respect to the dispute referred to in Executive Order No. 13586 of October 6, 2011.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2011

Mr. REID introduced the following joint resolution; which was read the first time

DECEMBER 1, 2011

Read the second time and placed on the calendar

JOINT RESOLUTION

Extending the cooling-off period under section 10 of the Railway Labor Act with respect to the dispute referred to in Executive Order No. 13586 of October 6, 2011.

Whereas the labor dispute between numerous rail carriers that are common carriers by rail in interstate commerce, and certain of their employees represented by labor organizations, threatens to interrupt essential freight rail services of the United States;

Whereas it is essential to the national interest that essential freight rail services be maintained;

Whereas Congress finds that emergency measures are essential to maintaining the security and continuity of freight rail services;

Whereas the President, by Executive Order 13586 of October 6, 2011, and pursuant to the provisions of section 10 of the Railway Labor Act (45 U.S.C. 160), created Presidential Emergency Board 243 to investigate the dispute and report findings;

Whereas the recommendations of the Emergency Board 243 issued on November 5, 2011, have been exhausted and have not resulted in settlement of the dispute;

Whereas Congress, under the Commerce Clause of the Constitution, has the authority and responsibility to ensure the uninterrupted operation of essential freight rail 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. EXTENSION OF COOLING-OFF PERIOD.**

4 With respect to the dispute referred to in Executive
 5 Order No. 13586 of October 6, 2011, the time period de-
 6 scribed in the third paragraph of section 10 of the Railway
 7 Labor Act (45 U.S.C. 160) shall be extended until 12:01
 8 a.m. on February 8, 2012, so that no change, except by
 9 agreement, shall be made by the rail carriers represented
 10 by the National Carriers' Conference Committee or by the
 11 employees of such carriers represented by labor organiza-

1 tions that are a party to such dispute, in the conditions
2 out of which the dispute arose as such conditions existed
3 prior to 12:01 a.m. on December 6, 2011.

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