

113TH CONGRESS
1ST SESSION

S. 180

To delay the enforcement of any rulings of the National Labor Relations Board until there is a final resolution in pending lawsuits.

IN THE SENATE OF THE UNITED STATES

JANUARY 30, 2013

Mr. BARRASSO introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To delay the enforcement of any rulings of the National Labor Relations Board until there is a final resolution in pending lawsuits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “NLRB Freeze Act of
5 2013”.

6 **SEC. 2. DELAY IN ENFORCEMENT OF CERTAIN RULES.**

7 (a) IN GENERAL.—Notwithstanding any other provi-
8 sion of law, any determinations made by the National
9 Labor Relations Board with respect to which unconstitu-
10 tional members were part of the Board’s quorum, shall

1 not be given any force or effect until the date on which
2 final judgment is entered in all cases challenging the con-
3 stitutionality of the appointment of members to such
4 Board during a recess of the Senate that are pending be-
5 fore a Federal court on the date of enactment of this Act.

6 (b) DEFINITION.—The term “unconstitutional mem-
7 ber” means a member of the National Labor Relations
8 Board who was appointed during a recess of the Senate
9 and who is the subject of a cause of action relating to
10 such appointment that is pending before a Federal court
11 on the date of enactment of this Act.

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