



MEMORANDUM

TO: **Railroad Neutrals**
Rail Carriers
Rail Labor Organizations

FROM: **Roland Watkins** *Roland Watkins*
Director, Arbitration Services

DATE: **September 17, 2015**

RE: **Status of Funding and Section 3 Activities for Fiscal Year 2016**

At the present time, Congress has not passed an appropriation for the National Mediation Board (NMB) for Fiscal Year 2016. The NMB is presently operating under an appropriation for Fiscal Year 2015 which expires on September 30, 2015.

Arbitrators are notified that you cannot engage in any Section 3 work for Fiscal Year 2016 until you have received a work order for Fiscal Year 2016 and that order has been signed and returned to the NMB. As a result, arbitrators do not have the authority to schedule any hearings for Fiscal Year 2016. The present extended work order expires on September 30, 2015.

All arbitrators and parties are notified that no funds will be authorized for travel for the month of October. Any travel for November and December will depend on the duration of any continuing resolution. Arbitrators are reminded that the Office of Arbitration Services must obtain approval from the NMB's financial officials in order to authorize any travel funds for Fiscal Year 2016.

If the NMB is operating under a continuing resolution on October 1, 2015, the NMB will immediately issue new work orders for Fiscal Year 2016. The NMB will make every effort to authorize work in accordance with the NMB's policy for the past nine fiscal years. However, these authorizations will be made with minimal advanced notice. Arbitrators will be allowed to hear cases if no travel is involved (either because the parties travel to the neutral, or because the case is heard using the NMB's online technology). The Anti-Deficiency Act precludes arbitrators from hearing cases for free.

To be clear, since the present appropriation expires on September 30, 2015, the parties are notified that arbitrators do not have any authority to schedule cases past this date if the cases involve the expenditure of funds by the NMB.

The Agency will continue to update you on its appropriation status. Questions must be directed to either Carol Conrad or Elijah Crayton at (202) 692-5055.

This memorandum does not apply to party pay boards or cases.