



MEMORANDUM

TO: Railroad Neutrals
Rail Carriers
Rail Labor Organizations

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

DATE: October 6, 2011

RE: Status of Funding and Section 3 Activities for Fiscal Year 2012

At the present time, Congress has not passed an appropriation for the National Mediation Board (NMB) for Fiscal Year 2012. The NMB is presently operating under a continuing resolution which expires on November 18, 2011.

The parties and arbitrators are notified that an arbitrator cannot engage in any Section 3 work for Fiscal Year 2012 until he/she has received a work order for Fiscal Year 2012 and that order has been signed and returned to the NMB.

On October 5, 2011, all arbitrators were sent work orders for Fiscal Year 2012. It is mandatory that these work orders be signed and returned as soon as possible so that arbitrators can be authorized to work in Fiscal Year 2012.

All arbitrators and parties are notified that no funds will be authorized for travel for the month of October. However, depending on the availability of funds travel might be authorized for the month of November.

For October and November, the NMB will make every effort to authorize some days that may be utilized for decisions in accordance with the NMB's policy for the past five fiscal years. However, these authorizations will be made with minimal advanced notice. For the month of October, these days may be used for hearing 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.

Since the present continuing resolution expires on November 18, 2011, 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 Darrell Dancer at (202) 692-5055.

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