



**NATIONAL MEDIATION BOARD
WASHINGTON, D.C. 20005**

MEMORANDUM

TO: Rail Carriers/ Rail Labor Organizations
Railroad Referees/Neutrals

FROM: Terri D. Brown *Terri D Brown*
Director, Arbitration Services

DATE: September 29, 2023

RE: Status of Funding and Section 3 Activities for Fiscal Year 2023

At the present time, Congress has not passed an appropriation for the National Mediation Board (NMB) for Fiscal Year 2024. The NMB is presently operating under an appropriation for Fiscal Year 2023 which expires on September 30, 2023.

The parties and the arbitrators are notified that if neither an appropriation nor a continuing resolution is passed, there will be a shut down for a period of time.

Since the present appropriation expires on September 30, 2023, the parties are notified that arbitrators do not have any authority to hear in-person or virtual cases nor write cases past this date if the cases involve the expenditure of funds by the NMB. The Anti-Deficiency Act precludes arbitrators from hearing or writing cases for free.

All of the present requests for the month of October 2023 submitted by Arbitrators which are pending in the Arbitrator Work Space (AWS) will not be approved until a continuing resolution or an appropriation for Fiscal Year 2024 is passed and request for hearings may have to be rescheduled for a later date if neither an appropriation nor a continuing resolution is passed.

If the NMB is operating under a continuing resolution on October 1, 2023, the NMB will immediately issue work orders to arbitrators for Fiscal Year 2024 and the arbitrator's request for work for October 2023 will be approved accordingly.

Please be advised this memorandum does not apply to cases on established Parties' Pay Boards.