

COMMITTEE AMENDMENT

[STAFF WORKING DRAFT]

July 15, 2003

Purpose: To implement certain rail-labor agreements.

**IN THE COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION—108TH Cong., 1ST Sess.**

S. 1389, 108TH Congress, 1ST Session

JULY 17, 2003

INTENDED to be proposed by Mr. SMITH (for himself and
Mr. WYDEN)

Viz:

1 At the appropriate place, insert the following:

2 **SEC. ——. APPLICATION OF CERTAIN AGREEMENTS.**

3 Section 11326 is amended by adding at the end the
4 following:

5 “(d) CERTAIN AGREEMENTS.—The terms of the
6 agreement entitled ‘Revised Standards for Preemption of
7 Collective Bargaining Agreements for Transactions Initi-
8 ated Pursuant to Section 11323 of the Interstate Com-
9 merce Act’ dated March 21, 2001, by and between 6 Class
10 I railroads and 11 labor organizations, and the terms of
11 the agreement entitled ‘Revised Standards for Preemption
12 of Collective Bargaining Agreements for Transactions Ini-
13 tiated Pursuant to Section 11323 of the Interstate Com-

1 merce Act' dated February 11, 2000, by and between 5
2 Class I railroads, the National Carriers' Conference Com-
3 mittee, and the United Transportation Union (except for
4 the provisions in both agreements stating 'The terms of
5 this agreement will become null and void when enacted
6 into law'), shall apply to the signatories to such agree-
7 ments in connection with transactions that are approved
8 under sections 11324 and 11325 and that are covered by
9 such agreements, unless the affected rail carriers and the
10 applicable labor organization or organizations agree on al-
11 ternative terms. The terms of such agreements shall not
12 be subject to the exemption provisions of section 11321(a)
13 or any future exemption provisions.'".

○