

United States Senate  
WASHINGTON, DC 20510

December 1, 2022

Dear Colleague,

Congress has been forced into a position to either intervene in labor negotiations or allow a rail strike that will cripple our economy. This is the last place we had hoped for us to be, and we are certain you feel similarly. Our response at this moment will determine whether rail workers receive their next paycheck, whether families can put food on the table this holiday season, and even whether the lights turn on. However, it must also be noted that how we choose to respond will set a precedent. It is our strong belief that Congress must act to avert this rail strike; however, we cannot support an agreement that goes beyond what was negotiated by all parties and what was agreed to by union leadership.

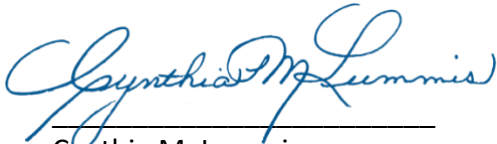
The ramifications of Congress failing to act would be swift and significant. Baseload power production would be jeopardized when coal shipments stop, shelves at grocery stores would begin to dwindle once grain and other commodities are unable to reach producers, and nearly every local water system would be in jeopardy of not being able to sanitize our drinking water. Estimates suggest a strike would cost our economy \$2 billion a day. However, the true cost of a strike can only be measured afterward. The ripple effects from a strike would almost certainly result in the loss of life, such as from the lack of electricity to heat one's home in the winter. Congress must come together to avert this catastrophic strike.

Despite the urgency of this moment, we cannot overlook the events that led us here. Rail labor unions expedited their collective bargaining process through the National Mediation Board at a record pace, all with an eye towards securing a friendly deal from Congressional Democrats while they still control both the House and Senate. Similarly, members from four of those twelve unions rejected the deal their own leadership agreed to, again gambling that they would secure a better deal from Congress. If we were to intervene while granting additional paid leave, a precedent would be set. Other unionized employees of regulated industries would likely make that same gamble in the future, rendering Congress the arbiter of these types of labor disputes instead of the National Mediation Board. It is in the best interest of all parties that the railroads, not Congress, work through issues such as paid leave directly with their employees.

In addition to the difficult precedent that voting for measures beyond the Tentative Agreements would set, it would also impose a significant new mandate on the railroads. Additional sick days would result in millions of dollars in expenditures for these companies. We do not believe it is appropriate for Congress to add millions of dollars in benefits to this deal without a comprehensive understanding of the financial ramifications that would cause.

While this position is undesirable, Congress must act. Implementing an agreement that roughly half of the unionized workers support, along with all their leadership, is the most responsible path forward. Inserting ourselves further into a labor dispute will only cripple future labor negotiations for the railroads and other similar industries. We urge you to join us in supporting a clean implementation of the Tentative Agreements negotiated by the railroads and union leadership.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia M. Lummis". The signature is fluid and cursive, with the first name being the most prominent.

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Cynthia M. Lummis  
U.S. Senator

A handwritten signature in blue ink that reads "Kevin Cramer". The signature is fluid and cursive, with the first name being the most prominent.

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Kevin Cramer  
U.S. Senator