

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 1120
OFFERED BY MR. ROE**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act by be cited as the “Preventing Greater Un-
3 certainty in Labor-Management Relations Act”.

**4 SEC. 2. ACTIVITIES BY THE NATIONAL LABOR RELATIONS
5 BOARD PROHIBITED.**

6 Effective on the date of enactment of this Act, the
7 National Labor Relations Board shall cease all activity
8 that requires a quorum of the members of the Board, as
9 set forth in the National Labor Relations Act (29 U.S.C.
10 151 et seq.). The Board shall not appoint any personnel
11 nor implement, administer, or enforce any decision, rule,
12 vote, or other action decided, undertaken, adopted, issued,
13 or finalized on or after January 4, 2012, that requires
14 a quorum of the members of the Board, as set forth in
15 such Act.

16 SEC. 3. TERMINATION.

17 The provisions of this Act shall terminate on the date
18 on which—

1 (1) all members of the National Labor Rela-
2 tions Board are confirmed with the advice and con-
3 sent of the Senate, in accordance with clause 2 of
4 section 2 of article II of the Constitution, in a num-
5 ber sufficient to constitute a quorum, as set forth in
6 the National Labor Relations Act (29 U.S.C. 151 et
7 seq.);

8 (2) the Supreme Court issues a decision on the
9 constitutionality of the appointments to the Board
10 made in January 2012; or

11 (3) the adjournment *sine die* of the first session
12 of the 113th Congress.

13 **SEC. 4. EFFECT OF CERTAIN BOARD ACTIONS.**

14 In the event that this Act terminates pursuant to
15 paragraphs (1) or (3) of section 3, no appointment, deci-
16 sion, rule, vote, or other action decided, undertaken,
17 adopted, issued, or finalized by the Board on or after Jan-
18 uary 4, 2012, that requires authorization by not less than
19 a quorum of the members of the Board, as set forth in
20 the National Labor Relations Act, may be implemented,
21 administered, or enforced unless and until it is considered
22 and acted upon by a Board constituting a quorum, as set
23 forth in the National Labor Relations Act, or the Supreme

- 1 Court issues a decision on the constitutionality of the ap-
- 2 pointments to the Board made in January 2012.

