

116TH CONGRESS
1ST SESSION

H. R. 2530

To provide temporary authority to the general counsel of the Merit Systems Protection Board to grant stays of personnel actions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 7, 2019

Mr. CONNOLLY (for himself and Mr. CUMMINGS) introduced the following bill;
which was referred to the Committee on Oversight and Reform

A BILL

To provide temporary authority to the general counsel of the Merit Systems Protection Board to grant stays of personnel actions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Interim Stay Authority
5 To Protect Whistleblowers Act”.

6 **SEC. 2. TEMPORARY AUTHORITY FOR MSPB GENERAL**
7 **COUNSEL TO ISSUE STAYS OF PERSONNEL**
8 **ACTIONS.**

9 During the period beginning on the date of the enact-
10 ment of this Act and ending on the first date after such

1 date of enactment that an individual is confirmed by the
2 Senate as a member of the Merit Systems Protection
3 Board under section 1201 of title 5, United States Code,
4 the general counsel of the Board shall carry out the func-
5 tions and authorities relating to stays of personnel actions
6 provided to a member of the Board under subparagraph
7 (A), or to the Board under subparagraph (B), (C), or (D),
8 of section 1214(b)(1) of such title.

9 **SEC. 3. AUTHORITY FOR MSPB MEMBER TO CARRY OUT DU-**
10 **TIES OF THE BOARD IN THE EVENT OF A**
11 **LACK OF QUORUM.**

12 Section 1214(b)(1) of title 5, United States Code, is
13 amended—

14 (1) in subparagraph (C), by inserting after
15 “The Board” the following: “, or, if the Board lacks
16 the number of members appointed under section
17 1201 required to constitute a quorum, any remain-
18 ing member of the Board,”; and

19 (2) in subparagraph (D), in the matter pre-
20 ceding clause (i), by striking “A stay may be termi-
21 nated by the Board at any time, except that a stay
22 may not be terminated by the Board” and inserting
23 the following: “A stay may be terminated by the
24 Board, or, if the Board lacks the number of mem-
25 bers appointed under section 1201 required to con-

1 stitute a quorum, any remaining member of the
2 Board, at any time, except that a stay may not be
3 terminated by the Board or any remaining member
4 of the Board (as the case may be)".

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