

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.

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## 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

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## 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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