

February 25, 2019

The Honorable Elijah Cummings
Chairman
Committee on Oversight and Reform
2157 Rayburn House Office Building
Washington, DC 20515

The Honorable Jim Jordan
Ranking Member
Committee on Oversight and Reform
2157 Rayburn House Office Building
Washington, DC 20515

The Honorable Gerald Connolly
Chairman
Subcommittee on Government Operations
2238 Rayburn House Office Building
Washington, DC 20515

The Honorable Mark Meadows
Ranking Member
Subcommittee on Government Operations
2160 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Cummings, Ranking Member Jordan, Chairman Connolly, and Ranking Member Meadows:

On behalf of the undersigned organizations, who all strongly value and support our nation's professional nonpartisan civil service, we write to express our concerns about the future of the Merit Systems Protection Board (MSPB) and convey our support for H.R. 1235.

As you know, the Board has already operated under unprecedented circumstances, lacking a quorum for nearly two full years. The result has been a backlog of nearly 2,000 cases and a delay in justice for federal employees, whistleblowers, veterans, and federal annuitants with matters before the Board, as well as a lack of closure for agencies in personnel matters. Moreover, due to the lack of quorum the Board has been unable to issue official reports or studies to Congress and the President during a critical time in which there is growing appreciation for the imperative of modernizing our civil service.

On February 13 the Senate Homeland Security and Governmental Affairs Committee advanced two of the President's MSPB nominees, yet they are still awaiting floor action pending nomination of a third Board member by the President. Should the Senate be unable to approve the Board nominees and restore a quorum, effective March 1 the Board would be without any Senate-confirmed leadership for the first time in its history, due to the expiration of acting chairman Mark Robbins' holdover period.

In order to ensure that the Board can continue operations at the most basic levels, including the critical role in issuing stays in whistleblower cases, passage of legislation to extend the holdover period for the Board is imperative. We strongly urge passage of H.R. 1235 to prevent the current crisis with the Board from doing permanent damage to the merit system and the civil service.

Thank you for your consideration of our perspective on this critical matter.

Sincerely,

FAA Managers Association (FAAMA)
Federal Managers Association (FMA)
Government Accountability Project (GAP), Tom Devine
Liberty Coalition
National Council of Social Security Management Associations (NCSSMA)
National Federation of Federal Employees (NFFE)

National Taxpayers Union
National Whistleblower Center
Professional Managers Association (PMA)
Project on Government Oversight (POGO)
Public Citizen
Senior Executives Association (SEA)
Taxpayer Protection Alliance
Union of Concerned Scientists
Whistleblowers of America