

TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES
PART II - CIVIL SERVICE FUNCTIONS AND RESPONSIBILITIES
CHAPTER 12 - MERIT SYSTEMS PROTECTION BOARD, OFFICE OF SPECIAL COUNSEL, AND EMPLOYEE RIGHT OF ACTION
SUBCHAPTER I - MERIT SYSTEMS PROTECTION BOARD

§ 1202. Term of office; filling vacancies; removal

- (a) The term of office of each member of the Merit Systems Protection Board is 7 years.
- (b) A member appointed to fill a vacancy occurring before the end of a term of office of the member's predecessor serves for the remainder of that term. Any appointment to fill a vacancy is subject to the requirements of section 1201. Any new member serving only a portion of a seven-year term in office may continue to serve until a successor is appointed and has qualified, except that such member may not continue to serve for more than one year after the date on which the term of the member would otherwise expire, unless reappointed.
- (c) Any member appointed for a 7-year term may not be reappointed to any following term but may continue to serve beyond the expiration of the term until a successor is appointed and has qualified, except that such member may not continue to serve for more than one year after the date on which the term of the member would otherwise expire under this section.
- (d) Any member may be removed by the President only for inefficiency, neglect of duty, or malfeasance in office.

(Added Pub. L. 95-454, title II, § 202(a), Oct. 13, 1978, 92 Stat. 1122; amended Pub. L. 100-202, § 101(m) [title VI, § 620], Dec. 22, 1987, 101 Stat. 1329-390, 1329-427; Pub. L. 101-12, § 3(a)(2), (3), Apr. 10, 1989, 103 Stat. 17.)

Amendments

1989—Pub. L. 101-12, § 3(a)(2), substituted a semicolon for the comma after “office” in section catchline.

Subsec. (b). Pub. L. 101-12, § 3(a)(3), substituted “the member’s” for “his” in first sentence and struck out “of this title” after “section 1201” in second sentence.

1987—Subsec. (b). Pub. L. 100-202 inserted provision permitting any new member serving portion of seven-year term to continue serving until successor is appointed and has qualified, with exception limiting duration of such service.

Effective Date of 1989 Amendment

Amendment by Pub. L. 101-12 effective 90 days following Apr. 10, 1989, see section 11 of Pub. L. 101-12, set out as a note under section 1201 of this title.