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(Original Signature of Member)

113TH CONGRESS
1ST SESSION

H. R.

To prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment *sine die* of the first session of the 113th Congress.

IN THE HOUSE OF REPRESENTATIVES

Mr. KLINE introduced the following bill; which was referred to the Committee on _____

A BILL

To prohibit the National Labor Relations Board from taking any action that requires a quorum of the members of the Board until such time as Board constituting a quorum shall have been confirmed by the Senate, the Supreme Court issues a decision on the constitutionality of the appointments to the Board made in January 2012, or the adjournment *sine die* of the first session of the 113th Congress.

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

1 **SECTION 1. ACTIVITIES BY THE NATIONAL LABOR RELA-**
2 **TIONS BOARD PROHIBITED.**

3 Effective on the date of enactment of this Act, the
4 National Labor Relations Board shall cease all activity
5 that requires a quorum of the members of the Board, as
6 set forth in the National Labor Relations Act (29 U.S.C.
7 151 et seq.). The Board shall not implement, administer,
8 or enforce any decision, rule, vote, or other action decided,
9 undertaken, adopted, issued, or finalized on or after Janu-
10 ary 4, 2012, that requires a quorum of the members of
11 the Board, as set forth in such Act.

12 **SEC. 2. TERMINATION.**

13 The provisions of this Act shall terminate on the date
14 on which—

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

22 (2) the Supreme Court issues a decision on the
23 constitutionality of the appointments to the Board
24 made in January 2012; or

25 (3) the adjournment *sine die* of the first session
26 of the 113th Congress.

1 **SEC. 3. EFFECT OF CERTAIN BOARD ACTIONS.**

2 In the event that this Act terminates pursuant to
3 paragraphs (1) or (3) of section 2, no decision, rule, vote,
4 or other action decided, undertaken, adopted, issued, or
5 finalized by the Board on or after January 4, 2012, that
6 requires authorization by not less than a quorum of the
7 members of the Board, as set forth in the National Labor
8 Relations Act, may be implemented, administered, or en-
9 forced unless and until it is considered and acted upon
10 by a Board constituting a quorum, as set forth in the Na-
11 tional Labor Relations Act, consisting entirely of members
12 confirmed with the advice and consent of the Senate or
13 the Supreme Court issues a decision on the constitu-
14 tionality of the appointments to the Board made in Janu-
15 ary 2012.