

Public Law 101-271  
101st Congress

An Act

To provide for five-year, staggered terms for members of the Federal Energy Regulatory Commission, and for other purposes.

Apr. 11, 1990

[S. 388]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the "Federal Energy Regulatory Commission Member Term Act of 1990".

Federal Energy  
Regulatory  
Commission  
Member Term  
Act of 1990.  
42 USC 7101  
note.

SEC. 2. FIVE-YEAR TERMS FOR MEMBERS OF THE FEDERAL ENERGY REGULATORY COMMISSION.

(a) IN GENERAL.—Section 401(b) of the Department of Energy Organization Act is amended by striking "four years" in the third sentence and inserting "5 years".

42 USC 7171.

(b) STAGGERED TERMS.—Section 401(b) of such Act is amended by—

(1) inserting "(1)" after "(b)";

(2) striking the fourth sentence;

(3) amending the seventh sentence to read, "A Commissioner may continue to serve after the expiration of his term until his successor is appointed and has been confirmed and taken the oath of Office, except that such Commissioner shall not serve beyond the end of the session of the Congress in which such term expires."; and

(4) adding at the end thereof the following:

"(2) Notwithstanding the third sentence of paragraph (1), the terms of members first taking office after the date of enactment of the Federal Energy Regulatory Commission Member Term Act of 1990 shall expire as follows:

"(A) In the case of members appointed to succeed members whose terms expire in 1991, one such member's term shall expire on June 30, 1994, and one such member's term shall expire on June 30, 1995, as designated by the President at the time of appointment.

"(B) In the case of members appointed to succeed members whose terms expire in 1992, one such member's term shall expire on June 30, 1996, and one such member's term shall expire on June 30, 1997, as designated by the President at the time of appointment.

“(C) In the case of the member appointed to succeed the member whose term expires in 1993, such member’s term shall expire on June 30, 1998.”

42 USC 7171  
note.

(c) **APPLICABILITY.**—The amendments made by this section apply only to persons appointed or reappointed as members of the Federal Energy Regulatory Commission after the date of enactment of this Act.

Approved April 11, 1990.

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**LEGISLATIVE HISTORY—S. 388 (H.R. 908):**

**HOUSE REPORTS:** No. 101-421 accompanying H.R. 908 (Comm. on Energy and Commerce).

**SENATE REPORTS:** No. 101-76 (Comm. on Energy and Natural Resources).

**CONGRESSIONAL RECORD:**

Vol. 135 (1989): Nov. 15, considered and passed Senate.

Vol. 136 (1990): Mar. 27, H.R. 908 considered and passed House; S. 388, amended, passed in lieu.

Mar. 29, Senate concurred in House amendment.