

107TH CONGRESS
1ST SESSION

S. 1331

To amend the Tennessee Valley Authority Act of 1933 to modify provisions relating to the Board of Directors of the Tennessee Valley Authority, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2001

Mr. MILLER (for himself, Mr. CLELAND, Mr. BUNNING, Mr. HELMS, and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To amend the Tennessee Valley Authority Act of 1933 to modify provisions relating to the Board of Directors of the Tennessee Valley Authority, 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. CHANGE IN COMPOSITION AND OPERATION OF**
4 **THE BOARD OF DIRECTORS OF THE TEN-**
5 **NESSEE VALLEY AUTHORITY.**

6 (a) IN GENERAL.—The Tennessee Valley Authority
7 Act of 1933 is amended by striking section 2 (16 U.S.C.
8 831a) and inserting the following:

1 **“SEC. 2. BOARD OF DIRECTORS.**

2 “(a) MEMBERSHIP.—

3 “(1) APPOINTMENT.—The Board of Directors
4 of the Corporation (referred to in this Act as the
5 ‘Board’) shall be appointed by the President by and
6 with the advice and consent of the Senate.

7 “(2) COMPOSITION.—The Board shall be com-
8 posed of 7 members, of whom—

9 “(A) 1 member shall be a resident of Ala-
10 bama;

11 “(B) 1 member shall be a resident of Geor-
12 gia;

13 “(C) 1 member shall be a resident of Ken-
14 tucky;

15 “(D) 1 member shall be a resident of Mis-
16 sissippi;

17 “(E) 1 member shall be a resident of
18 North Carolina;

19 “(F) 1 member shall be a resident of Ten-
20 nessee; and

21 “(G) 1 member shall be a resident of Vir-
22 ginia.

23 “(3) QUALIFICATIONS.—To be eligible to be ap-
24 pointed as a member of the Board, an individual—

25 “(A) shall be a citizen of the United
26 States;

1 “(B) shall have no substantial direct finan-
2 cial interest in—

3 “(i) any public-utility corporation en-
4 gaged in the business of distributing and
5 selling power to the public; or

6 “(ii) any business that may be ad-
7 versely affected by the success of the Cor-
8 poration as a producer of electric power;
9 and

10 “(C) shall profess a belief in the feasibility
11 and wisdom of this Act.

12 “(4) CHAIRPERSON.—

13 “(A) IN GENERAL.—The Board shall select
14 a chairperson from among the members of the
15 Board.

16 “(B) DUTIES.—The chairperson shall be
17 the chief executive officer of the Corporation.

18 “(b) TERMS.—Members of the Board shall be ap-
19 pointed for terms of 4 years, except that, of the members
20 first appointed—

21 “(A) 3 members shall be appointed for a
22 term of 4 years;

23 “(B) 2 members shall be appointed for a
24 term of 3 years; and

1 “(C) 2 members shall be appointed for a
2 term of 2 years.

3 “(c) VACANCIES.—A member appointed to fill a va-
4 cancy in the Board occurring before the expiration of the
5 term for which the predecessor of the member was ap-
6 pointed shall be appointed for the remainder of that term.

7 “(d) QUORUM.—

8 “(1) IN GENERAL.—Four members of the
9 Board shall constitute a quorum for the transaction
10 of business.

11 “(2) MINIMUM NUMBER OF MEMBERS.—A va-
12 cancy in the Board shall not impair the power of the
13 Board to act, so long as there are 4 members in of-
14 fice.

15 “(e) COMPENSATION OF MEMBERS.—

16 “(1) NON-FEDERAL EMPLOYEES.—Subject to
17 paragraph (4), a member of the Board who is not
18 an officer or employee of the Federal Government
19 shall be compensated at a rate equal to the daily
20 equivalent of the annual rate of basic pay prescribed
21 for level IV of the Executive Schedule under section
22 5315 of title 5, United States Code, for each day
23 (including travel time) during which the member is
24 engaged in the performance of the duties of the
25 Board.

1 “(2) FEDERAL EMPLOYEES.—A member of the
2 Board who is an officer or employee of the Federal
3 Government shall serve without compensation in ad-
4 dition to the compensation received for the services
5 of the member as an officer or employee of the Fed-
6 eral Government.

7 “(3) TRAVEL EXPENSES.—A member of the
8 Board shall be allowed travel expenses, including per
9 diem in lieu of subsistence, at rates authorized for
10 an employee of an agency under subchapter I of
11 chapter 57 of title 5, United States Code, while
12 away from the home or regular place of business of
13 the member in the performance of the duties of the
14 Board.

15 “(4) COMPENSATION OF CHAIRPERSON.—

16 “(A) IN GENERAL.—Except as provided in
17 subparagraph (B), the Board may fix the com-
18 pensation of the chairperson without regard to
19 the provisions of chapter 51 and subchapter III
20 of chapter 53 of title 5, United States Code, re-
21 lating to classification of positions and General
22 Schedule pay rates.

23 “(B) MAXIMUM RATE OF PAY.—The rate
24 of pay for the chairperson may not exceed the
25 rate payable for level V of the Executive Sched-

1 ule under section 5316 of title 5, United States
2 Code.”.

3 (b) CURRENT BOARD MEMBERS.—A member of the
4 Board of Directors of the Tennessee Valley Authority who
5 was appointed before the date of enactment of this Act—

6 (1) may continue to serve as a member until
7 the date on which the term of that member expires;
8 and

9 (2) may be reappointed if that member meets
10 the residency requirements of section 2(a)(2) of the
11 Tennessee Valley Authority Act of 1933 (as amend-
12 ed by subsection (a)).

○