

[118H10260]



(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

# H. R. \_\_\_\_\_

To provide compensation flexibility to address retention and hiring issues  
at the Bonneville Power Administration.

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## IN THE HOUSE OF REPRESENTATIVES

Ms. PEREZ introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

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# A BILL

To provide compensation flexibility to address retention and  
hiring issues at the Bonneville Power Administration.

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. SHORT TITLE.**

4 This Act may be cited as the “Reliability for Rate-  
5 payers Act”.

1 **SEC. 2. COMPENSATION FLEXIBILITY TO ADDRESS RETEN-**  
2 **TION AND HIRING ISSUES AT THE BONNE-**  
3 **VILLE POWER ADMINISTRATION.**

4 Section 10 of the Act of August 20, 1937 (commonly  
5 known as the “Bonneville Project Act of 1937”) (50 Stat.  
6 736, chapter 720; 16 U.S.C. 832i), is amended by striking  
7 the section designation and subsections (a) and (b) and  
8 inserting the following:

9 **“SEC. 10. EMPLOYMENT OF PERSONNEL.**

10 **“(a) EMPLOYEE COMPENSATION PROGRAM.—**

11 **“(1) IN GENERAL.—**Notwithstanding any other  
12 law, rule, regulation, or directive relating to the pay-  
13 ment of Federal employees (other than chapter 83  
14 of title 5, United States Code), the administrator  
15 shall develop, implement, and, as appropriate, up-  
16 date, based on the results of an annual review under  
17 paragraph (4), a compensation plan that specifies  
18 and fixes the compensation (including salary or any  
19 other pay, bonuses, benefits, incentives, and any  
20 other form of remuneration) for employees of the ad-  
21 ministrator, including members of the Senior Execu-  
22 tive Service (as defined in section 2101a of title 5,  
23 United States Code).

24 **“(2) INITIAL COMPENSATION PLAN.—**

25 **“(A) IN GENERAL.—**Not later than 1 year  
26 after the date of enactment of the Reliability

1 for Ratepayers Act, the administrator shall, in  
2 consultation with the Director of the Office of  
3 Personnel Management, and subject to con-  
4 firmation and approval by the Secretary of En-  
5 ergy, which shall not be unreasonably withheld,  
6 develop an initial compensation plan under  
7 paragraph (1).

8 “(B) IMPLEMENTATION.—Not later than 1  
9 year after the date on which the initial com-  
10 pensation plan is developed under subparagraph  
11 (A), the administrator shall implement the ini-  
12 tial compensation plan.

13 “(3) REQUIREMENTS.—A compensation plan  
14 developed under paragraph (1) shall—

15 “(A) be based on an annual survey of the  
16 prevailing compensation for similar positions in  
17 the public sectors of the electric industry;

18 “(B) be consistent with the approved an-  
19 nual general and administrative budget of the  
20 administrator and encourage the widest diversi-  
21 fied use of electric power at the lowest possible  
22 rates to consumers consistent with sound busi-  
23 ness principles;

24 “(C) provide that education, experience,  
25 level of responsibility, geographic differences,

1 and retention and recruitment needs are to be  
2 taken into account in determining the com-  
3 pensation of employees of the administrator;  
4 and

5 “(D) provide that the individual total com-  
6 pensation of the administrator and any em-  
7 ployee of the administrator shall be comparable  
8 to and competitive with similar positions among  
9 consumer-owned utilities in the Western Inter-  
10 connection.

11 “(4) ANNUAL REVIEW.—

12 “(A) IN GENERAL.—Annually, the admin-  
13 istrator shall review and update, as appropriate,  
14 the compensation plan developed under para-  
15 graph (1).

16 “(B) COMPENSATION OF THE ADMINIS-  
17 TRATOR.—Notwithstanding any other law, rule,  
18 regulation, or directive relating to the payment  
19 of the administrator (other than chapter 83 of  
20 title 5, United States Code), the Secretary shall  
21 periodically review and update, as appropriate,  
22 the compensation of the administrator con-  
23 sistent with paragraph (3)(D).

24 “(C) PUBLICATION OF INFORMATION.—

25 The administrator shall include in the quarterly

1 public business review of the administrator or  
2 any other appropriate public review of the oper-  
3 ations and finances of the administrator infor-  
4 mation on the applicable annual compensation  
5 plan review under subparagraph (A), including  
6 information on the amount of salaries of any  
7 employees whose annual salaries would exceed  
8 the annual rate payable for positions at Level  
9 IV of the Executive Schedule under section  
10 5315 of title 5, United States Code.

11 “(5) ANNUAL PUBLICATION.—Annually, the ad-  
12 ministrator shall publish the compensation plan de-  
13 veloped under paragraph (1) or updated under para-  
14 graph (4), as applicable.

15 “(b) APPOINTMENT; EMPLOYMENT.—

16 “(1) IN GENERAL.—The administrator may, as  
17 the administrator determines to be necessary to  
18 carry out this Act, subject to applicable civil service  
19 laws—

20 “(A) appoint any officers and employees;

21 “(B) employ laborers, mechanics, and  
22 workers for construction work or the operation  
23 and maintenance of electrical facilities; and

24 “(C) fix the compensation of individuals  
25 appointed under subparagraph (A) or (B), re-

1           spectively, consistent with the applicable com-  
2           pensation plan developed under subsection  
3           (a)(1).

4           “(2) EXEMPTION FROM CERTAIN CIVIL SERVICE  
5           LAWS.—In carrying out the authority provided by  
6           paragraph (1), the administrator shall be exempt  
7           from chapters 34, 43, 51, 53, 57, and 59 of title 5,  
8           United States Code.

9           “(3) APPLICATION OF MERIT SYSTEM PRIN-  
10          CIPLES.—Employees of the administrator are sub-  
11          ject to the application of the merit system principles  
12          set forth in section 2301 of title 5, United States  
13          Code, to the extent that the principles apply to a  
14          wholly owned Government corporation.

15          “(4) EMPLOYMENT OF PHYSICIANS.—The ad-  
16          ministrator may employ physicians, without regard  
17          to the civil service laws (including regulations), to  
18          perform physical examinations of employees of the  
19          administrator or prospective employees of the ad-  
20          ministrator who are or may become laborers, me-  
21          chanics, and workers described in paragraph (1)(B).

22          “(5) EMPLOYMENT OF EXPERTS.—The admin-  
23          istrator may appoint, without regard to the civil  
24          service laws (including regulations), any experts that  
25          the administrator determines to be necessary to

- 1 carry out the functions of the administrator under
- 2 this Act.”.