

110TH CONGRESS
1ST SESSION

S. 1089

To amend the Alaska Natural Gas Pipeline Act to allow the Federal Coordinator for Alaska Natural Gas Transportation Projects to hire employees more efficiently, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 11, 2007

Ms. MURKOWSKI (for herself and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To amend the Alaska Natural Gas Pipeline Act to allow the Federal Coordinator for Alaska Natural Gas Transportation Projects to hire employees more efficiently, 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. ADMINISTRATION.**

4 Section 106 of the Alaska Natural Gas Pipeline Act
5 (15 U.S.C. 720d) is amended by adding at the end the
6 following:

7 “(h) ADMINISTRATION.—

8 “(1) PERSONNEL APPOINTMENTS.—

1 “(A) IN GENERAL.—The Federal Coordi-
2 nator may appoint and terminate such per-
3 sonnel as the Federal Coordinator determines
4 to be appropriate.

5 “(B) AUTHORITY OF FEDERAL COORDI-
6 NATOR.—Personnel appointed by the Federal
7 Coordinator under subparagraph (A) shall be
8 appointed without regard to the provisions of
9 title 5, United States Code, governing appoint-
10 ments in the competitive service.

11 “(2) COMPENSATION.—

12 “(A) IN GENERAL.—Subject to subpara-
13 graph (B), personnel appointed by the Federal
14 Coordinator under paragraph (1)(A) shall be
15 paid without regard to the provisions of sub-
16 chapter III of chapter 53 of title 5, United
17 States Code (relating to classification and Gen-
18 eral Schedule pay rates).

19 “(B) MAXIMUM LEVEL OF COMPENSA-
20 TION.—The rate of pay for personnel appointed
21 by the Federal Coordinator under paragraph
22 (1)(A) shall not exceed the maximum level of
23 rate payable for level III of the Executive
24 Schedule under chapter 11 of title 2, United

1 States Code, as adjusted by section 5318 of
2 title 5, United States Code.

3 “(3) TEMPORARY SERVICES.—

4 “(A) IN GENERAL.—The Federal Coordi-
5 nator may procure temporary and intermittent
6 services in accordance with section 3109(b) of
7 title 5, United States Code.

8 “(B) MAXIMUM LEVEL OF COMPENSA-
9 TION.—The level of compensation of an indi-
10 vidual employed on a temporary or intermittent
11 basis under subparagraph (A) shall not exceed
12 the maximum rate of basic pay authorized for
13 senior-level positions under section 5376 of title
14 5, United States Code.

15 “(4) FEES, CHARGES, AND COMMISSIONS.—

16 “(A) IN GENERAL.—The Federal Coordi-
17 nator may establish and modify reasonable fil-
18 ing and service fees, charges, and commissions,
19 require deposits of payments, and provide re-
20 funds in accordance with section 304 of the
21 Federal Land Policy and Management Act of
22 1976 (43 U.S.C. 1734), except that, in carrying
23 out this subparagraph, each reference to the
24 Secretary of the Interior in that section shall be

1 considered to be a reference to the Federal Co-
2 ordinator.

3 “(B) USE OF FUNDS.—The Federal Coor-
4 dinator shall use amounts collected under sub-
5 paragraph (A) to carry out this section.”.

6 **SEC. 2. CLARIFICATION OF AUTHORITY.**

7 Section 107(a) of the Alaska Natural Gas Pipeline
8 Act (15 U.S.C. 720e(a)) is amended by striking paragraph
9 (3) and inserting the following:

10 “(3) the validity of any determination, permit,
11 approval, authorization, review, or other related ac-
12 tion taken under any provision of law relating to a
13 gas transportation project constructed and operated
14 in accordance with section 103, including—

15 “(A) subchapter II of chapter 5, and chap-
16 ter 7, of title 5, United States Code (commonly
17 known as the ‘Administrative Procedure Act’);

18 “(B) the Endangered Species Act of 1973
19 (16 U.S.C. 1531 et seq.);

20 “(C) the National Environmental Policy
21 Act of 1969 (42 U.S.C. 4321 et seq.); and

22 “(D) the National Historic Preservation
23 Act (16 U.S.C. 470 et seq.)”.

1 **SEC. 3. CONFORMING AMENDMENTS.**

2 Section 304 of the Federal Land Policy and Manage-
3 ment Act of 1976 (43 U.S.C. 1734) is amended—

4 (1) in subsection (a), by striking “applications
5 and other documents relating to the public lands”
6 and inserting “the duties of the Federal Coordi-
7 nator,”;

8 (2) in subsection (b), in the first sentence, by
9 striking “applications and other documents relating
10 to such lands” and inserting “the duties of the Fed-
11 eral Coordinator”; and

12 (3) in subsection (c), by striking “sale, lease,
13 use, or other disposition of public lands” and insert-
14 ing “duties of the Federal Coordinator”.

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