

109TH CONGRESS  
2D SESSION

# S. 3322

To build operational readiness in civilian agencies, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 26, 2006

Mr. LUGAR (for himself, Mr. BIDEN, Mr. HAGEL, Mr. ALEXANDER, and Mr. WARNER) introduced the following bill; which was read twice, considered, read the third time, and passed

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## A BILL

To build operational readiness in civilian agencies, 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. SHORT TITLE.**

4 This Act may be cited as the “Reconstruction and  
5 Stabilization Civilian Management Act of 2006”.

6 **SEC. 2. FINDING; PURPOSE.**

7 (a) FINDING.—Congress finds that the resources of  
8 the United States Armed Forces have been burdened by  
9 having to undertake stabilization and reconstruction tasks  
10 in the Balkans, Afghanistan, Iraq, and other countries of

1 the world that could have been performed by civilians,  
2 which has resulted in lengthy deployments for Armed  
3 Forces personnel.

4 (b) PURPOSE.—The purpose of this Act is to provide  
5 for the continued development, as a core mission of the  
6 Department of State and the United States Agency for  
7 International Development, of an effective expert civilian  
8 response capability to carry out reconstruction and sta-  
9 bilization activities in a country or region that is at risk  
10 of, in, or is in transition from, conflict or civil strife.

11 **SEC. 3. DEFINITIONS.**

12 In this Act:

13 (1) ADMINISTRATOR.—The term “Adminis-  
14 trator” means the Administrator of the United  
15 States Agency for International Development.

16 (2) APPROPRIATE CONGRESSIONAL COMMIT-  
17 TEES.—The term “appropriate congressional com-  
18 mittees” means the Committee on Foreign Relations  
19 of the Senate and the Committee on International  
20 Relations of the House of Representatives.

21 (3) DEPARTMENT.—Except as otherwise pro-  
22 vided in this Act, the term “Department” means the  
23 Department of State.

1           (4) EXECUTIVE AGENCY.—The term “executive  
2           agency” has the meaning given that term in section  
3           105 of title 5, United States Code.

4           (5) SECRETARY.—The term “Secretary” means  
5           the Secretary of State.

6 **SEC. 4. SENSE OF CONGRESS.**

7           It is the sense of Congress that—

8           (1) the civilian element of United States joint  
9           civilian-military operations should be strengthened in  
10          order to enhance the execution of current and future  
11          reconstruction and stabilization activities in foreign  
12          countries or regions that are at risk of, in, or are  
13          in transition from, conflict or civil strife;

14          (2) the capability of civilian agencies of the  
15          United States Government to carry out reconstruc-  
16          tion and stabilization activities in such countries or  
17          regions should also be enhanced through a new rapid  
18          response corps of civilian experts supported by the  
19          establishment of a new system of planning, organiza-  
20          tion, personnel policies, and education and training,  
21          and the provision of adequate resources;

22          (3) the international community, including non-  
23          governmental organizations, and the United Nations  
24          and its specialized agencies, should be further en-  
25          couraged to participate in planning and organizing

1 reconstruction and stabilization activities in such  
2 countries or regions;

3 (4) the executive branch has taken a number of  
4 steps to strengthen civilian capability, including the  
5 establishment of an office headed by a Coordinator  
6 for Reconstruction and Stabilization in the Depart-  
7 ment, the Presidential designation of the Secretary  
8 as the interagency coordinator and leader of recon-  
9 struction and stabilization efforts, and Department  
10 of Defense directives to the military to support the  
11 Office of Reconstruction and Stabilization and to  
12 work closely with counterparts in the Department of  
13 State and other civilian agencies to develop and en-  
14 hance personnel, training, planning, and analysis;

15 (5) the Secretary and the Administrator should  
16 work with the Secretary of Defense to augment ex-  
17 isting personnel exchange programs among the De-  
18 partment, the United States Agency for Inter-  
19 national Development, and the Department of De-  
20 fense, including the regional commands and the  
21 Joint Staff, to enhance the stabilization and recon-  
22 struction skills of military and civilian personnel and  
23 their ability to undertake joint operations; and

24 (6) the heads of other executive agencies should  
25 establish personnel exchange programs that are de-

1 signed to enhance the stabilization and reconstruc-  
2 tion skills of military and civilian personnel.

3 **SEC. 5. AUTHORITY TO PROVIDE ASSISTANCE FOR RECON-**  
4 **STRUCTION AND STABILIZATION CRISES.**

5 Chapter 1 of part III of the Foreign Assistance Act  
6 of 1961 (22 U.S.C. 2351 et seq.) is amended by inserting  
7 after section 617 the following new section:

8 **“SEC. 618. ASSISTANCE FOR A RECONSTRUCTION AND STA-**  
9 **BILIZATION CRISIS.**

10 “(a) **AUTHORITY.**—If the President determines that  
11 it is important to the national interests of the United  
12 States for United States civilian agencies or non-Federal  
13 employees to assist in stabilizing and reconstructing a  
14 country or region that is at risk of, in, or is in transition  
15 from, conflict or civil strife, the President may, in accord-  
16 ance with the provisions set forth in section 614(a)(3),  
17 notwithstanding any other provision of law, and on such  
18 terms and conditions as the President may determine, fur-  
19 nish assistance to respond to the crisis.

20 “(b) **SPECIAL AUTHORITIES.**—In furtherance of a de-  
21 termination made under subsection (a), the President may  
22 exercise the authorities contained in sections 552(c)(2)  
23 and 610 of this Act without regard to the percentage and  
24 aggregate dollar limitations contained in such sections.

25 “(c) **AUTHORIZATION OF FUNDING.**—

1           “(1) INITIAL AUTHORIZATION.—There is au-  
2           thorized to be appropriated, without fiscal year limi-  
3           tation, \$75,000,000 in funds that may be used to  
4           provide assistance authorized in subsection (a) and,  
5           to the extent authorized under paragraph (2), for  
6           the purpose described in such paragraph.

7           “(2) AVAILABILITY OF FUNDS FOR RESPONSE  
8           READINESS CORPS.—Of the amount made available  
9           pursuant to paragraph (1) for fiscal year 2007,  
10          \$25,000,000 may be made available for expenses re-  
11          lated to the development, training, and operations of  
12          the Response Readiness Corps established under sec-  
13          tion 61(c) of the State Department Basic Authori-  
14          ties Act of 1956. The availability of such funds shall  
15          not be subject to a determination by the President  
16          under subsection (a).

17          “(3) REPLENISHMENT.—There is authorized to  
18          be appropriated each fiscal year such sums as may  
19          be necessary to replenish funds expended as pro-  
20          vided under paragraph (1). Funds authorized to be  
21          appropriated under this paragraph shall be available  
22          without fiscal year limitation for the same purpose  
23          and under the same conditions as are provided  
24          under paragraph (1).”.

1 **SEC. 6. OFFICE OF THE COORDINATOR FOR RECONSTRUC-**  
 2 **TION AND STABILIZATION.**

3 Title I of the State Department Basic Authorities Act  
 4 of 1956 (22 U.S.C. 2651 et seq.) is amended by adding  
 5 at the end the following new section:

6 **“SEC. 61. RECONSTRUCTION AND STABILIZATION.**

7 “(a) OFFICE OF THE COORDINATOR FOR RECON-  
 8 STRUCTION AND STABILIZATION.—

9 “(1) ESTABLISHMENT.—There is established  
 10 within the Department of State the Office of the Co-  
 11 ordinator for Reconstruction and Stabilization.

12 “(2) COORDINATOR FOR RECONSTRUCTION AND  
 13 STABILIZATION.—The head of the Office shall be the  
 14 Coordinator for Reconstruction and Stabilization,  
 15 who shall be appointed by the President, by and  
 16 with the advice and consent of the Senate. The Co-  
 17 ordinator shall report directly to the Secretary and  
 18 shall have the rank and status of Ambassador at  
 19 Large.

20 “(3) FUNCTIONS.—The functions of the Office  
 21 of the Coordinator for Reconstruction and Stabiliza-  
 22 tion include the following:

23 “(A) Monitoring, in coordination with rel-  
 24 evant bureaus within the Department of State,  
 25 political and economic instability worldwide to  
 26 anticipate the need for mobilizing United States

1 and international assistance for the stabilization  
2 and reconstruction of countries or regions that  
3 are at risk of, in, or are in transition from, con-  
4 flict or civil strife.

5 “(B) Assessing the various types of sta-  
6 bilization and reconstruction crises that could  
7 occur and cataloging and monitoring the non-  
8 military resources and capabilities of Executive  
9 agencies that are available to address such cri-  
10 ses.

11 “(C) Planning to address requirements,  
12 such as demobilization, policing, human rights  
13 monitoring, and public information, that com-  
14 monly arise in stabilization and reconstruction  
15 crises.

16 “(D) Coordinating with relevant Executive  
17 agencies (as that term is defined in section 105  
18 of title 5, United States Code) to develop inter-  
19 agency contingency plans to mobilize and deploy  
20 civilian personnel to address the various types  
21 of such crises.

22 “(E) Entering into appropriate arrange-  
23 ments with other Executive agencies to carry  
24 out activities under this section and the Recon-

1           struction and Stabilization Civilian Manage-  
2           ment Act of 2006.

3           “(F) Identifying personnel in State and  
4           local governments and in the private sector who  
5           are available to participate in the Response  
6           Readiness Corps or the Response Readiness Re-  
7           serve established under subsection (b) or to oth-  
8           erwise participate in or contribute to stabiliza-  
9           tion and reconstruction activities.

10          “(G) Taking steps to ensure that training  
11          of civilian personnel to perform such stabiliza-  
12          tion and reconstruction activities is adequate  
13          and, as appropriate, includes security training  
14          that involves exercises and simulations with the  
15          Armed Forces, including the regional com-  
16          mands.

17          “(H) Sharing information and coordi-  
18          nating plans for stabilization and reconstruction  
19          activities, as appropriate, with the United Na-  
20          tions and its specialized agencies, the North At-  
21          lantic Treaty Organization, nongovernmental  
22          organizations, and other foreign national and  
23          international organizations.

1           “(I) Coordinating plans and procedures for  
2 joint civilian-military operations with respect to  
3 stabilization and reconstruction activities.

4           “(J) Maintaining the capacity to field on  
5 short notice an evaluation team to undertake  
6 on-site needs assessment.

7           “(b) RESPONSE TO STABILIZATION AND RECON-  
8 STRUCTION CRISIS.—If the President makes a determina-  
9 tion regarding a stabilization and reconstruction crisis  
10 under section 618 of the Foreign Assistance Act of 1961,  
11 the President may designate the Coordinator, or such  
12 other individual as the President may determine appro-  
13 priate, as the Coordinator of the United States response.  
14 The individual so designated, or, in the event the Presi-  
15 dent does not make such a designation, the Coordinator  
16 for Reconstruction and Stabilization, shall—

17           “(1) assess the immediate and long-term need  
18 for resources and civilian personnel;

19           “(2) identify and mobilize non-military re-  
20 sources to respond to the crisis; and

21           “(3) coordinate the activities of the other indi-  
22 viduals or management team, if any, designated by  
23 the President to manage the United States re-  
24 sponse.”.

1 **SEC. 7. RESPONSE READINESS CORPS.**

2 (a) IN GENERAL.—Section 61 of the State Depart-  
3 ment Basic Authorities Act of 1956 (as added by section  
4 6) is amended by adding at the end the following new sub-  
5 section:

6 “(c) RESPONSE READINESS CORPS.—

7 “(1) RESPONSE READINESS ACTIVE DUTY PER-  
8 SONNEL.—

9 “(A) ESTABLISHMENT AND PURPOSE.—

10 The Secretary, in consultation with the Admin-  
11 istrator of the United States Agency for Inter-  
12 national Development, is authorized to establish  
13 a Response Readiness Corps (hereafter referred  
14 to in this section as the ‘Corps’) to provide as-  
15 sistance in support of stabilization and recon-  
16 struction activities in foreign countries or re-  
17 gions that are at risk of, in, or are in transition  
18 from, conflict or civil strife.

19 “(B) COMPOSITION.—The Secretary and  
20 Administrator of the United States Agency for  
21 International Development should coordinate in  
22 the recruitment, hiring, and training of—

23 “(i) up to 250 personnel to serve in  
24 the active duty Corps; and

25 “(ii) such other personnel as the Sec-  
26 retary, in consultation with the Adminis-

1           trator, may designate as members of the  
2           Corps from among employees of the De-  
3           partment of State and the United States  
4           Agency for International Development.

5           “(C) TRAINING.—The Secretary is author-  
6           ized to train the members of the Corps to per-  
7           form services necessary to carry out the pur-  
8           pose of the Corps under subparagraph (A).

9           “(D) COMPENSATION.—Members of the  
10          Corps hired under subparagraph (B)(i) shall be  
11          compensated in accordance with the appropriate  
12          salary class for the Foreign Service, as set forth  
13          in sections 402 and 403 of the Foreign Service  
14          Act of 1980 (22 U.S.C. 3962 and 22 U.S.C.  
15          3963), or in accordance with the relevant au-  
16          thority under sections 3101 and 3392 of title 5,  
17          United States Code.

18          “(2) RESPONSE READINESS RESERVE DUTY  
19          PERSONNEL.—

20                 “(A) ESTABLISHMENT AND PURPOSE.—  
21                 The Secretary, in consultation with the heads of  
22                 other relevant Executive agencies, is authorized  
23                 to establish and maintain a roster of personnel  
24                 who are trained and available as needed to per-  
25                 form services necessary to carry out the pur-

1 pose of the Corps under paragraph (1)(A). The  
2 personnel listed on the roster shall constitute a  
3 reserve component of the Response Readiness  
4 Corps.

5 “(B) FEDERAL EMPLOYEES.—The Re-  
6 sponse Readiness reserve component may in-  
7 clude employees of the Department of State, in-  
8 cluding Foreign Service Nationals, employees of  
9 the United States Agency for International De-  
10 velopment, employees of any other Executive  
11 agency (as that term is defined in section 105  
12 of title 5, United States Code), and employees  
13 from the legislative and judicial branches who—

14 “(i) have the training and skills nec-  
15 essary to enable them to contribute to sta-  
16 bilization and reconstruction activities; and

17 “(ii) have volunteered for deployment  
18 to carry out stabilization and reconstruc-  
19 tion activities.

20 “(C) NON-FEDERAL PERSONNEL.—The  
21 Response Readiness reserve component should  
22 also include at least 500 personnel, which may  
23 include retired employees of the Federal Gov-  
24 ernment, contractor personnel, nongovern-

1           mental organization personnel, and State and  
2           local government employees, who—

3                   “(i) have the training and skills nec-  
4                   essary to enable them to contribute to sta-  
5                   bilization and reconstruction activities; and

6                   “(ii) have volunteered to carry out  
7                   stabilization and reconstruction activities.

8           “(3) USE OF RESPONSE READINESS CORPS.—

9                   “(A) RESPONSE READINESS ACTIVE DUTY  
10                  COMPONENT.—The members of the active duty  
11                  Corps are authorized to be available—

12                   “(i) if responding in support of sta-  
13                   bilization and reconstruction activities pur-  
14                   suant to a determination by the President  
15                   regarding a stabilization and reconstruc-  
16                   tion crisis under section 618 of the For-  
17                   eign Assistance Act of 1961, for deploy-  
18                   ment in support of such activities; and

19                   “(ii) if not responding as described in  
20                   clause (i), for assignment in the United  
21                   States, United States diplomatic missions,  
22                   and United States Agency for Inter-  
23                   national Development missions.

24                   “(B) RESPONSE READINESS RESERVE  
25                  COMPONENT.—The Secretary may deploy mem-

1           bers of the reserve component under paragraph  
2           (2) in support of stabilization and reconstruc-  
3           tion activities in a foreign country or region if  
4           the President makes a determination regarding  
5           a stabilization and reconstruction crisis under  
6           section 618 of the Foreign Assistance Act of  
7           1961.”.

8           (b) EMPLOYMENT AUTHORITY.—The full-time per-  
9           sonnel authorized to be employed in the Response Readiness  
10          Corps under section 61(c)(1)(B)(i) of the State De-  
11          partment Basic Authorities Act of 1956 (as added by sub-  
12          section (a)) are in addition to any other full-time per-  
13          sonnel of the Department or the United States Agency for  
14          International Development authorized to be employed  
15          under any other provision of law.

16          (c) REPORT.—Not later than 180 days after the date  
17          of the enactment of this Act, the Secretary shall submit  
18          to the appropriate congressional committees a report on  
19          the status of efforts to establish the Response Readiness  
20          Corps under this section. The report should include rec-  
21          ommendations for any legislation necessary to implement  
22          subsection (a).

1 **SEC. 8. STABILIZATION AND RECONSTRUCTION TRAINING**  
2 **AND EDUCATION.**

3 Section 701 of the Foreign Service Act of 1980 (22  
4 U.S.C. 4021) is amended—

5 (1) by redesignating subsection (g) as sub-  
6 section (h); and

7 (2) by inserting after subsection (f) the fol-  
8 lowing new subsection:

9 “(g) **STABILIZATION AND RECONSTRUCTION CUR-**  
10 **RICULUM.**—

11 “(1) **ESTABLISHMENT AND MISSION.**—The Sec-  
12 retary, in cooperation with the Secretary of Defense  
13 and the Secretary of the Army, is authorized to es-  
14 tablish a stabilization and reconstruction curriculum  
15 for use in programs of the Foreign Service Institute,  
16 the National Defense University, and the United  
17 States Army War College.

18 “(2) **CURRICULUM CONTENT.**—The curriculum  
19 should include the following:

20 “(A) An overview of the global security en-  
21 vironment, including an assessment of  
22 transnational threats and an analysis of United  
23 States policy options to address such threats.

24 “(B) A review of lessons learned from pre-  
25 vious United States and international experi-

1 ences in stabilization and reconstruction activi-  
2 ties.

3 “(C) An overview of the relevant respon-  
4 sibilities, capabilities, and limitations of various  
5 Executive agencies (as that term is defined in  
6 section 105 of title 5, United States Code) and  
7 the interactions among them.

8 “(D) A discussion of the international re-  
9 sources available to address stabilization and  
10 reconstruction requirements, including re-  
11 sources of the United Nations and its special-  
12 ized agencies, nongovernmental organizations,  
13 private and voluntary organizations, and foreign  
14 governments, together with an examination of  
15 the successes and failures experienced by the  
16 United States in working with such entities.

17 “(E) A study of the United States inter-  
18 agency system.

19 “(F) Foreign language training.

20 “(G) Training and simulation exercises for  
21 joint civilian-military emergency response oper-  
22 ations.”.

1 **SEC. 9. SERVICE RELATED TO STABILIZATION AND RECON-**  
2 **STRUCTION.**

3 (a) **PROMOTION PURPOSES.**—Service in stabilization  
4 and reconstruction operations overseas, membership in the  
5 Response Readiness Corps under section 61(c) of the  
6 State Department Basic Authorities Act of 1956 (as  
7 added by section 7), and education and training in the  
8 stabilization and reconstruction curriculum established  
9 under section 701(g) of the Foreign Service Act of 1980  
10 (as added by section 8) should be considered among the  
11 favorable factors for the promotion of employees of Execu-  
12 tive agencies.

13 (b) **PERSONNEL TRAINING AND PROMOTION.**—The  
14 Secretary and the Administrator should take steps to en-  
15 sure that, not later than 3 years after the date of the en-  
16 actment of this Act, at least 10 percent of the employees  
17 of the Department and the United States Agency for  
18 International Development in the United States are mem-  
19 bers of the Response Readiness Corps or are trained in  
20 the activities of, or identified for potential deployment in  
21 support of, the Response Readiness Corps. The Secretary  
22 should provide such training as needed to Ambassadors  
23 and Deputy Chiefs of Mission.

24 (c) **OTHER INCENTIVES AND BENEFITS.**—The Sec-  
25 retary and the Administrator may establish and admin-  
26 ister a system of awards and other incentives and benefits

1 to confer appropriate recognition on and reward any indi-  
2 vidual who is assigned, detailed, or deployed to carry out  
3 stabilization or reconstruction activities in accordance with  
4 this Act.

5 **SEC. 10. AUTHORITIES RELATED TO PERSONNEL.**

6 (a) CONTRACTING AUTHORITY.—

7 (1) IN GENERAL.—The Secretary, or the Ad-  
8 ministrator with the concurrence of the Secretary,  
9 may enter into contracts to procure the services of  
10 nationals of the United States (as defined in section  
11 101(a)(22) of the Immigration and Nationality Act  
12 (8 U.S.C. 1101(a)(22)) or aliens authorized to be  
13 employed in the United States as personal services  
14 contractors for the purpose of carrying out this Act,  
15 without regard to Civil Service or classification laws,  
16 for service in the Office of the Coordinator for Re-  
17 construction and Stabilization or for service in for-  
18 eign countries to assist in stabilizing and recon-  
19 structing a country or region that is at risk of, in,  
20 or is in transition from, conflict or civil strife.

21 (2) NOT EMPLOYEES.—Individuals performing  
22 services under contracts described in paragraph (1)  
23 shall not by virtue of performing such services be  
24 considered to be employees of the United States  
25 Government for purposes of any law administered by

1 the Office of Personnel Management (except that  
2 the Secretary or Administrator may determine the  
3 applicability to such individuals of any law adminis-  
4 tered by the Secretary or Administrator concerning  
5 the performance of such services by such individ-  
6 uals).

7 (b) EXPERTS AND CONSULTANTS.—The Secretary  
8 and the Administrator may, to the extent necessary to ob-  
9 tain services without delay, employ experts and consult-  
10 ants under section 3109 of title 5, United States Code,  
11 for the purpose of carrying out this Act, without requiring  
12 compliance with any otherwise applicable requirements for  
13 that employment as the Secretary or Administrator may  
14 determine, except that such employment shall be termi-  
15 nated after 60 days if by that time the applicable require-  
16 ments are not complied with.

17 (c) AUTHORITY TO ACCEPT AND ASSIGN DETAILS.—  
18 The Secretary is authorized to accept details or assign-  
19 ments of employees of Executive agencies, members of the  
20 uniformed services, and employees of State or local gov-  
21 ernments on a reimbursable or nonreimbursable basis for  
22 the purpose of carrying out this Act. The assignment of  
23 an employee of a State or local government under this sub-  
24 section shall be consistent with subchapter VI of chapter  
25 33 of title 5, United States Code.

1           (d) DUAL COMPENSATION WAIVER FOR ANNUITANTS  
2 UNDER CIVIL SERVICE RETIREMENT SYSTEM AND FED-  
3 ERAL EMPLOYEES RETIREMENT SYSTEM.—Notwith-  
4 standing sections 8344(i) and 8468(f) of title 5, United  
5 States Code, the Secretary or the head of another execu-  
6 tive agency, as authorized by the Secretary, may waive the  
7 application of subsections (a) through (h) of such section  
8 8344 and subsections (a) through (e) of such section 8468  
9 with respect to annuitants under the Civil Service Retire-  
10 ment System or the Federal Employees Retirement Sys-  
11 tem who are assigned, detailed, or deployed to assist in  
12 stabilizing and reconstructing a country or region that is  
13 at risk of, in, or is in transition from, conflict or civil strife  
14 during the period of their reemployment.

15           (e) INCREASE IN PREMIUM PAY CAP.—The Sec-  
16 retary, or the head of another executive agency as author-  
17 ized by the Secretary, may compensate an employee de-  
18 tailed, assigned, or deployed to assist in stabilizing and  
19 reconstructing a country or region that is at risk of, in,  
20 or is in transition from, conflict or civil strife, without re-  
21 gard to the limitations on premium pay set forth in section  
22 5547 of title 5, United States Code, to the extent that  
23 the aggregate of the basic pay and premium pay of such  
24 employee for a year does not exceed the annual rate pay-  
25 able for level II of the Executive Schedule.

1           (f) EXTENSION OF CERTAIN FOREIGN SERVICE BEN-  
2 EFITS.—The Secretary, or the head of another executive  
3 agency as authorized by the Secretary, may extend to any  
4 individuals assigned, detailed, or deployed to carry out sta-  
5 bilization and reconstruction activities in accordance with  
6 this Act, the benefits or privileges set forth in sections  
7 412, 413, 704, and 901 of the Foreign Service Act of 1980  
8 (22 U.S.C. 972, 22 U.S.C. 3973, 22 U.S.C. 4024, and  
9 22 U.S.C. 4081) to the same extent and manner that such  
10 benefits and privileges are extended to members of the  
11 Foreign Service.

12           (g) COMPENSATORY TIME.—Notwithstanding any  
13 other provision of law, the Secretary may, subject to the  
14 consent of an individual who is assigned, detailed, or de-  
15 ployed to carry out stabilization and reconstruction activi-  
16 ties in accordance with this Act, grant such individual  
17 compensatory time off for an equal amount of time spent  
18 in regularly or irregularly scheduled overtime work. Credit  
19 for compensatory time off earned shall not form the basis  
20 for any additional compensation. Any such compensatory  
21 time not used within 26 pay periods shall be forfeited.

22           (h) ACCEPTANCE OF VOLUNTEER SERVICES.—

23               (1) IN GENERAL.—The Secretary may accept  
24           volunteer services for the purpose of carrying out

1 this Act without regard to section 1342 of title 31,  
2 United States Code.

3 (2) TYPES OF VOLUNTEERS.—Donors of vol-  
4 untary services accepted for purposes of this section  
5 may include—

6 (A) advisors;

7 (B) experts;

8 (C) consultants; and

9 (D) persons performing services in any  
10 other capacity determined appropriate by the  
11 Secretary.

12 (3) SUPERVISION.—The Secretary shall—

13 (A) ensure that each person performing  
14 voluntary services accepted under this section is  
15 notified of the scope of the voluntary services  
16 accepted;

17 (B) supervise the volunteer to the same ex-  
18 tent as employees receiving compensation for  
19 similar services; and

20 (C) ensure that the volunteer has appro-  
21 priate credentials or is otherwise qualified to  
22 perform in each capacity for which the volun-  
23 teer's services are accepted.

24 (4) APPLICABILITY OF LAW RELATING TO FED-  
25 ERAL GOVERNMENT EMPLOYEES.—A person pro-

1       viding volunteer services accepted under this section  
2       shall not be considered an employee of the Federal  
3       Government in the performance of those services, ex-  
4       cept for the purposes of the following provisions of  
5       law:

6               (A) Chapter 81 of title 5, United States  
7               Code, relating to compensation for work-related  
8               injuries.

9               (B) Chapter 11 of title 18, United States  
10              Code, relating to conflicts of interest.

11             (5) APPLICABILITY OF LAW RELATING TO VOL-  
12             UNTEER LIABILITY PROTECTION.—

13               (A) IN GENERAL.—A person providing vol-  
14               unteer services accepted under this section shall  
15               be deemed to be a volunteer of a nonprofit or-  
16               ganization or governmental entity, with respect  
17               to the accepted services, for purposes of the  
18               Volunteer Protection Act of 1997 (42 U.S.C.  
19               14501 et seq.).

20               (B) INAPPLICABILITY OF EXCEPTIONS TO  
21               VOLUNTEER LIABILITY PROTECTION.—Section  
22               4(d) of such Act (42 U.S.C. 14503(d)) does not  
23               apply with respect to the liability of a person  
24               with respect to services of such person that are  
25               accepted under this section.

1 (i) AUTHORITY FOR OUTSIDE ADVISORS.—

2 (1) IN GENERAL.—The Secretary may establish  
3 temporary advisory commissions composed of indi-  
4 viduals with appropriate expertise to facilitate the  
5 carrying out of this Act.

6 (2) INAPPLICABILITY OF FACA.—The require-  
7 ments of the Federal Advisory Committee Act (5  
8 U.S.C. App.) shall not apply to the activities of a  
9 commission established under this subsection.

10 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

11 There is authorized to be appropriated \$80,000,000  
12 for fiscal year 2007 for personnel, education and training,  
13 equipment, and travel costs for purposes of carrying out  
14 this Act and the amendments made by this Act.

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