

110TH CONGRESS
1ST SESSION

H. R. 1084

To amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 to build operational readiness in civilian agencies, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2007

Mr. FARR (for himself and Mr. SAXTON) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To amend the Foreign Assistance Act of 1961, the State Department Basic Authorities Act of 1956, and the Foreign Service Act of 1980 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 2007”.

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

7 (a) FINDING.—Congress finds that the resources of
8 the Armed Forces have been burdened by having to under-

1 take stabilization and reconstruction tasks in the Balkans,
2 Afghanistan, Iraq, and other countries of the world that
3 could have been performed by civilians, which has resulted
4 in lengthy deployments for members of the Armed Forces.

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

12 **SEC. 3. DEFINITIONS.**

13 In this Act:

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

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

22 (3) DEPARTMENT.—Except as otherwise pro-
23 vided in this Act, the term “Department” means the
24 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, education and training, and
21 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 in the Department of the Office of the
6 Coordinator for Reconstruction and Stabilization,
7 the Presidential designation of the Secretary as the
8 interagency coordinator and leader of reconstruction
9 and stabilization efforts, and Department of Defense
10 directives to the military to support the Office of the
11 Coordinator 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 security 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 without regard to the percentage and aggregate
24 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 to provide assistance authorized
4 in subsection (a) and, to the extent authorized under
5 paragraph (2), for the purpose described in such
6 paragraph.

7 “(2) AVAILABILITY OF FUNDS FOR RESPONSE
8 READINESS CORPS.—Of the amount authorized to be
9 appropriated pursuant to paragraph (1),
10 \$25,000,000 may be made available for fiscal year
11 2008 for expenses related to the development, train-
12 ing, and operations of the Response Readiness Corps
13 established under section 62(c) of the State Depart-
14 ment Basic Authorities Act of 1956. The availability
15 of such funds shall not be subject to a determination
16 by the President 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. 62. 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.

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

21 “(A) Monitoring, in coordination with rel-
22 evant bureaus within the Department of State,
23 political and economic instability worldwide to
24 anticipate the need for mobilizing United States
25 and international assistance for the stabilization
26 and reconstruction of countries or regions that

1 are at risk of, in, or are in transition from, con-
2 flict or civil strife.

3 “(B) Assessing the various types of sta-
4 bilization and reconstruction crises that could
5 occur and cataloging and monitoring the non-
6 military resources and capabilities of Executive
7 agencies (as that term is defined in section 105
8 of title 5, United States Code) that are avail-
9 able to address such crises.

10 “(C) Planning to address requirements,
11 such as demobilization, disarmament, rebuilding
12 of civil society, policing, human rights moni-
13 toring, and public information, that commonly
14 arise in stabilization and reconstruction crises.

15 “(D) Coordinating with relevant Executive
16 agencies to develop interagency contingency
17 plans to mobilize and deploy civilian personnel
18 to address the various types of such crises.

19 “(E) Entering into appropriate arrange-
20 ments with other Executive agencies to carry
21 out activities under this section and the Recon-
22 struction and Stabilization Civilian Manage-
23 ment Act of 2007.

24 “(F) Identifying personnel in State and
25 local governments and in the private sector who

1 are available to participate in the Response
2 Readiness Corps or the Response Readiness Re-
3 serve established under subsection (c) or to oth-
4 erwise participate in or contribute to stabiliza-
5 tion and reconstruction activities.

6 “(G) Taking steps to ensure that training
7 and education of civilian personnel to perform
8 such stabilization and reconstruction activities
9 is adequate and, as appropriate, includes secu-
10 rity training that involves exercises and simula-
11 tions with the Armed Forces, including the re-
12 gional commands.

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

20 “(I) Coordinating plans and procedures for
21 joint civilian-military operations with respect to
22 stabilization and reconstruction activities.

23 “(J) Maintaining the capacity to field on
24 short notice an evaluation team to undertake
25 on-site needs assessment.

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

11 “(1) assess the immediate and long-term need
12 for resources and civilian personnel to respond to the
13 crisis;

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

16 “(3) coordinate the activities of the other indi-
17 viduals or management team, if any, designated by
18 the President to manage the United States re-
19 sponse.”.

20 **SEC. 7. RESPONSE READINESS CORPS.**

21 (a) IN GENERAL.—Section 62 of the State Depart-
22 ment Basic Authorities Act of 1956 (as added by section
23 6) is amended by adding at the end the following new sub-
24 section:

25 “(c) RESPONSE READINESS CORPS.—

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

3 “(A) ESTABLISHMENT AND PURPOSE.—

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

13 “(B) COMPOSITION.—The Secretary and
14 Administrator shall coordinate in the recruit-
15 ment, hiring, and training of—

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

18 “(ii) such other personnel as the Sec-
19 retary, in consultation with the Adminis-
20 trator, may designate as members of the
21 Corps from among employees of the De-
22 partment and the United States Agency
23 for International Development.

24 “(C) TRAINING.—The Secretary is author-
25 ized to train the members of the Corps to per-

1 form services necessary to carry out the pur-
2 pose of the Corps under subparagraph (A).

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

12 “(2) RESPONSE READINESS RESERVE DUTY
13 PERSONNEL.—

14 “(A) ESTABLISHMENT AND PURPOSE.—
15 The Secretary, in consultation with the heads of
16 other relevant Executive agencies, is authorized
17 to establish and maintain a roster of personnel
18 who are trained and available as needed to per-
19 form services necessary to carry out the pur-
20 pose of the Corps under paragraph (1)(A). The
21 personnel listed on the roster shall constitute a
22 reserve component of the Response Readiness
23 Corps.

24 “(B) FEDERAL EMPLOYEES.—The Re-
25 sponse Readiness reserve component may in-

1 clude employees of the Department, including
2 employees of the United States Agency for
3 International Development, employees of any
4 other Executive agency, and employees from the
5 legislative and judicial branches who—

6 “(i) have the training and skills nec-
7 essary to enable them to contribute to sta-
8 bilization and reconstruction activities; and

9 “(ii) have volunteered for deployment
10 to carry out stabilization and reconstruc-
11 tion activities.

12 “(C) NON-FEDERAL PERSONNEL.—The
13 Response Readiness reserve component should
14 also include not fewer than 500 personnel, who
15 may include retired employees of the Federal
16 Government, contractor personnel, nongovern-
17 mental organization personnel, and State and
18 local government employees, who—

19 “(i) have the training and skills nec-
20 essary to enable them to contribute to sta-
21 bilization and reconstruction activities; and

22 “(ii) have volunteered to carry out
23 stabilization and reconstruction activities.

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

1 “(A) RESPONSE READINESS ACTIVE DUTY
2 COMPONENT.—The members of the active duty
3 Corps are authorized to be available—

4 “(i) if responding in support of sta-
5 bilization and reconstruction activities pur-
6 suant to a determination by the President
7 regarding a stabilization and reconstruc-
8 tion crisis under section 618 of the For-
9 eign Assistance Act of 1961, for deploy-
10 ment in support of such activities; and

11 “(ii) if not responding as described in
12 clause (i), for assignment in the United
13 States, United States diplomatic missions,
14 and United States Agency for Inter-
15 national Development missions.

16 “(B) RESPONSE READINESS RESERVE
17 COMPONENT.—The Secretary may deploy mem-
18 bers of the reserve component under paragraph
19 (2) in support of stabilization and reconstruc-
20 tion activities in a foreign country or region if
21 the President makes a determination regarding
22 a stabilization and reconstruction crisis under
23 section 618 of the Foreign Assistance Act of
24 1961.”.

1 (b) EMPLOYMENT AUTHORITY.—The full-time per-
2 sonnel authorized to be employed in the Response Readiness
3 Corps under section 62(c)(1)(B)(i) of the State Department
4 Basic Authorities Act of 1956 (as added by subsection
5 (a)) shall be in addition to any other full-time personnel
6 of the Department or the United States Agency for International
7 Development authorized to be employed
8 under any other provision of law.

9 (c) REPORT.—Not later than 180 days after the date
10 of the enactment of this Act, the Secretary shall submit
11 to the appropriate congressional committees a report on
12 the status of efforts to establish the Response Readiness
13 Corps under this section. The report shall include recommendations
14 for any legislation necessary to implement
15 subsection (c) of section 62 of the State Department Basic
16 Authorities Act of 1956, as added by subsection (a).

17 **SEC. 8. STABILIZATION AND RECONSTRUCTION TRAINING**
18 **AND EDUCATION.**

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

21 (1) by redesignating subsection (g) as subsection
22 (h); and

23 (2) by inserting after subsection (f) the following
24 new subsection:

1 “(g) STABILIZATION AND RECONSTRUCTION CUR-
2 RICULUM.—

3 “(1) ESTABLISHMENT AND MISSION.—The Sec-
4 retary, in cooperation with the Secretary of Defense
5 and the Secretaries of the Army and Navy, is au-
6 thORIZED to establish a stabilization and reconstruc-
7 tion curriculum for use in programs of the Foreign
8 Service Institute, the Center for Stabilization and
9 Reconstruction Studies at the Naval Postgraduate
10 School, the National Defense University, and the
11 United States Army War College.

12 “(2) CURRICULUM CONTENT.—The curriculum
13 referred to in paragraph (1) should include the fol-
14 lowing:

15 “(A) An overview of the global security en-
16 vironment, including an assessment of
17 transnational threats and an analysis of United
18 States policy options to address such threats.

19 “(B) A review of lessons learned from pre-
20 vious United States and international experi-
21 ences in stabilization and reconstruction activi-
22 ties.

23 “(C) An overview of the relevant respon-
24 sibilities, capabilities, and limitations of various
25 Executive agencies (as that term is defined in

1 section 105 of title 5, United States Code) and
2 the interactions among them.

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

12 “(E) A study of the United States inter-
13 agency system.

14 “(F) Foreign language and cultural aware-
15 ness training.

16 “(G) Training and simulation exercises for
17 joint civilian-military emergency response oper-
18 ations.

19 “(H) Security awareness training.

20 “(3) EXISTING TRAINING AND EDUCATION PRO-
21 GRAMS.—The Secretary shall ensure that personnel
22 of the Department make use of the relevant existing
23 training and education programs offered within the
24 Government, such as those at the Center for Sta-
25 bilization and Reconstruction Studies at the Naval

1 Postgraduate School and the Interagency Training,
2 Education, and After Action Review Program at the
3 National Defense University.”.

4 **SEC. 9. SERVICE RELATED TO STABILIZATION AND RECON-**
5 **STRUCTION.**

6 (a) PROMOTION PURPOSES.—Service in stabilization
7 and reconstruction activities overseas, membership in the
8 Response Readiness Corps under section 62(c) of the
9 State Department Basic Authorities Act of 1956 (as
10 added by section 7), and education and training in the
11 stabilization and reconstruction curriculum established
12 under section 701(g) of the Foreign Service Act of 1980
13 (as added by section 8) shall be considered among the fa-
14 vorable factors for the promotion of employees of Execu-
15 tive agencies.

16 (b) PERSONNEL TRAINING AND PROMOTION.—The
17 Secretary and the Administrator shall take steps to ensure
18 that, not later than three years after the date of the enact-
19 ment of this Act, at least ten percent of the employees
20 of the Department and of the United States Agency for
21 International Development in the United States are mem-
22 bers of the Response Readiness Corps or are trained in
23 the activities of, or identified for potential deployment in
24 support of, the Response Readiness Corps. The Secretary

1 shall provide such training as needed to Ambassadors and
2 Deputy Chiefs of Mission.

3 (c) OTHER INCENTIVES AND BENEFITS.—The Sec-
4 retary and the Administrator may establish and admin-
5 ister a system of awards and other incentives and benefits
6 to confer appropriate recognition of and reward any indi-
7 vidual who is assigned, detailed, or deployed to carry out
8 stabilization or reconstruction activities in accordance with
9 this Act.

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

11 (a) CONTRACTING AUTHORITY.—

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

1 (2) NOT EMPLOYEES.—Individuals performing
2 services under contracts described in paragraph (1)
3 shall not by virtue of performing such services be
4 considered to be employees of the United States
5 Government for purposes of any law administered by
6 the Office of Personnel Management (except that
7 the Secretary or Administrator may determine the
8 applicability to such individuals of any law adminis-
9 tered by the Secretary or Administrator concerning
10 the performance of such services by such individ-
11 uals).

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

22 (c) AUTHORITY TO ACCEPT AND ASSIGN DETAILS.—
23 The Secretary is authorized to accept details or assign-
24 ments of employees of Executive agencies, members of the
25 uniformed services (as defined in section 2101 of title 5,

1 United States Code), and employees of State or local gov-
2 ernments on a reimbursable or nonreimbursable basis for
3 the purpose of carrying out this Act. The assignment of
4 an employee of a State or local government under this sub-
5 section shall be consistent with subchapter VI of chapter
6 33 of title 5, United States Code.

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

21 (e) INCREASE IN PREMIUM PAY CAP.—The Sec-
22 retary, or the head of another Executive agency as author-
23 ized by the Secretary, may compensate an employee de-
24 tailed, assigned, or deployed to assist in stabilizing and
25 reconstructing a country or region that is at risk of, in,

1 or is in transition from, conflict or civil strife, without re-
2 gard to the limitations on premium pay set forth in section
3 5547 of title 5, United States Code, to the extent that
4 the aggregate of the basic pay and premium pay of such
5 employee for a year does not exceed the annual rate pay-
6 able for level II of the Executive Schedule.

7 (f) EXTENSION OF CERTAIN FOREIGN SERVICE BEN-
8 EFITS.—The Secretary, or the head of another Executive
9 agency as authorized by the Secretary, may extend to any
10 individuals assigned, detailed, or deployed to carry out sta-
11 bilization and reconstruction activities in accordance with
12 this Act, the benefits or privileges set forth in sections
13 412, 413, 704, and 901 of the Foreign Service Act of 1980
14 (22 U.S.C. 3972, 22 U.S.C. 3973, 22 U.S.C. 4024, and
15 22 U.S.C. 4081) to the same extent and manner that such
16 benefits and privileges are extended to members of the
17 Foreign Service.

18 (g) COMPENSATORY TIME.—Notwithstanding any
19 other provision of law, the Secretary may, subject to the
20 consent of an individual who is assigned, detailed, or de-
21 ployed to carry out stabilization and reconstruction activi-
22 ties in accordance with this Act, grant such individual
23 compensatory time off for an equal amount of time spent
24 in regularly or irregularly scheduled overtime work. Credit
25 for compensatory time off earned shall not form the basis

1 for any additional compensation. Any such compensatory
2 time not used within 26 pay periods shall be forfeited.

3 (h) ACCEPTANCE OF VOLUNTEER SERVICES.—

4 (1) IN GENERAL.—The Secretary may accept
5 volunteer services for the purpose of carrying out
6 this Act without regard to section 1342 of title 31,
7 United States Code.

8 (2) TYPES OF VOLUNTEERS.—Donors of volun-
9 teer services accepted for purposes of this section
10 may include—

11 (A) advisors;

12 (B) experts;

13 (C) consultants; and

14 (D) persons performing services in any
15 other capacity determined appropriate by the
16 Secretary.

17 (3) SUPERVISION.—The Secretary shall—

18 (A) ensure that each individual performing
19 volunteer services accepted under this sub-
20 section is notified of the scope of the volunteer
21 services accepted;

22 (B) supervise the volunteer to the same ex-
23 tent as employees receiving compensation for
24 similar services; and

1 (C) ensure that the volunteer has appro-
2 priate credentials or is otherwise qualified to
3 perform in each capacity for which the volun-
4 teer's services are accepted.

5 (4) APPLICABILITY OF LAW RELATING TO FED-
6 ERAL GOVERNMENT EMPLOYEES.—An individual
7 providing volunteer services accepted under this sec-
8 tion shall not be considered an employee of the Fed-
9 eral Government in the performance of those serv-
10 ices, except for the purposes of the following provi-
11 sions of law:

12 (A) Chapter 81 of title 5, United States
13 Code, relating to compensation for work-related
14 injuries.

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

17 (5) APPLICABILITY OF LAW RELATING TO VOL-
18 UNTEER LIABILITY PROTECTION.—

19 (A) IN GENERAL.—A person providing vol-
20 unteer services accepted under this section shall
21 be deemed to be a volunteer of a nonprofit or-
22 ganization or governmental entity, with respect
23 to the accepted services, for purposes of the
24 Volunteer Protection Act of 1997 (42 U.S.C.
25 14501 et seq.).

1 (B) INAPPLICABILITY OF EXCEPTIONS TO
2 VOLUNTEER LIABILITY PROTECTION.—Section
3 4(d) of such Act (42 U.S.C. 14503(d)) shall not
4 apply with respect to the liability of a person
5 with respect to services of such person that are
6 accepted under this section.

7 (i) AUTHORITY FOR OUTSIDE ADVISORS.—

8 (1) IN GENERAL.—The Secretary may establish
9 temporary advisory commissions composed of indi-
10 viduals with appropriate expertise to facilitate the
11 carrying out of this Act.

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

16 **SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

17 There is authorized to be appropriated \$80,000,000
18 for fiscal year 2008 for personnel, education and training,
19 equipment, and travel costs for purposes of carrying out
20 this Act and the amendments made by this Act.

○