

103-172) [enacting this section and provisions set out as notes above], and in order to reduce Federal employees' contribution to traffic congestion and air pollution and to expand their commuting alternatives, it is hereby ordered as follows:

SECTION 1. Mass Transportation and Vanpool Transportation Fringe Benefit Program. (a) By no later than October 1, 2000, Federal agencies shall implement a transportation fringe benefit program that offers qualified Federal employees the option to exclude from taxable wages and compensation, consistent with section 132 of title 26, United States Code, employee commuting costs incurred through the use of mass transportation and vanpools, not to exceed the maximum level allowed by law (26 U.S.C. 132 (f)(2)). These agency programs shall comply with the requirements of Internal Revenue Service regulations for qualified transportation fringe benefits under section 1.132-9 of title 26, Code of Federal Regulations, and other guidance.

(b) Federal agencies are encouraged to use any non-monetary incentive that the agencies may otherwise offer under any other provision of law or other authority to encourage mass transportation and vanpool use, as provided for in section 7905(b)(2)(C) of title 5, United States Code.

SEC. 2. Federal Agencies in the National Capital Region. Federal agencies in the National Capital Region shall implement a "transit pass" transportation fringe benefit program for their qualified Federal employees by no later than October 1, 2000. Under this program, agencies shall provide their qualified Federal employees, in addition to current compensation, transit passes as defined in section 132(f)(5) of title 26, United States Code, in amounts approximately equal to employee commuting costs, not to exceed the maximum level allowed by law (26 U.S.C. 132(f)(2)). The National Capital Region is defined as the District of Columbia; Montgomery, Prince George's, and Frederick Counties in Maryland; Arlington, Fairfax, Loudon, and Prince William Counties in Virginia; and all cities now or hereafter existing in Maryland or Virginia within the geographic area bounded by the outer boundaries of the combined area of said counties.

SEC. 3. Nationwide Pilot Program. The Department of Transportation, the Environmental Protection Agency, and the Department of Energy shall implement a "transit pass" transportation fringe benefit program, as described in section 2 of this order, for all of their qualified Federal employees as a 3 year pilot program by no later than October 1, 2000. Before determining whether the program should be extended to other Federal employees nationwide, it shall be analyzed by an entity determined by the agencies identified in section 4 of this order to ascertain, among other things, if it is effective in reducing single occupancy vehicle travel and local area traffic congestion.

SEC. 4. Guidance. Federal agencies shall develop plans to implement this order in consultation with the Department of the Treasury, the Department of Transportation, the Environmental Protection Agency, the Office of Personnel Management, the General Services Administration, and the Office of Management and Budget. Federal agencies that currently have more generous programs or benefits in place may continue to offer those programs or benefits. Agencies shall absorb the costs of implementing this order within the sums received pursuant to the President's FY 2001 budget request to the Congress.

SEC. 5. Judicial Review. This order is not intended to and does not create any right or benefit, substantive or procedural, enforceable at law by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

WILLIAM J. CLINTON.

§ 7906. Services of post-combat case coordinators

(a) **DEFINITIONS.**—For purposes of this section—

(1) the terms "employee", "agency",¹ "injury", "war-risk hazard", and "hostile force or individual" have the meanings given those terms in section 8101; and

(2) the term "qualified employee" means an employee as described in subsection (b).

(b) **REQUIREMENT.**—The head of each agency shall, in a manner consistent with the guidelines prescribed under subsection (c), provide for the assignment of a post-combat case coordinator in the case of any employee of such agency who suffers an injury or disability incurred, or an illness contracted, while in the performance of such employee's duties, as a result of a war-risk hazard or during or as a result of capture, detention, or other restraint by a hostile force or individual.

(c) **GUIDELINES.**—The Office of Personnel Management shall, after such consultation as the Office considers appropriate, prescribe guidelines for the operation of this section. Under the guidelines, the responsibilities of a post-combat case coordinator shall include—

(1) acting as the main point of contact for qualified employees seeking administrative guidance or assistance relating to benefits under chapter 81 or 89;

(2) assisting qualified employees in the collection of documentation or other supporting evidence for the expeditious processing of claims under chapter 81 or 89;

(3) assisting qualified employees in connection with the receipt of prescribed medical care and the coordination of benefits under chapter 81 or 89;

(4) resolving problems relating to the receipt of benefits under chapter 81 or 89; and

(5) ensuring that qualified employees are properly screened and receive appropriate treatment—

(A) for post-traumatic stress disorder or other similar disorder stemming from combat trauma; or

(B) for suicidal or homicidal thoughts or behaviors.

(d) **DURATION.**—The services of a post-combat case coordinator shall remain available to a qualified employee until—

(1) such employee accepts or declines a reasonable offer of employment in a position in the employee's agency for which the employee is qualified, which is not lower than 2 grades (or pay levels) below the employee's grade (or pay level) before the occurrence or onset of the injury, disability, or illness (as referred to in subsection (a)), and which is within the employee's commuting area; or

(2) such employee gives written notice, in such manner as the employing agency prescribes, that those services are no longer desired or necessary.

(Added Pub. L. 112-81, div. A, title XI, § 1106(a), Dec. 31, 2011, 125 Stat. 1613.)

¹ So in original. The definition of "agency" does not appear in section 8101 of this title.

Subpart G—Insurance and Annuities**CHAPTER 81—COMPENSATION FOR WORK INJURIES****SUBCHAPTER I—GENERALLY**

Sec.	
8101.	Definitions.
8102.	Compensation for disability or death of employee.
8102a.	Death gratuity for injuries incurred in connection with employee's service with an Armed Force.
8103.	Medical services and initial medical and other benefits.
8104.	Vocational rehabilitation.
8105.	Total disability.
8106.	Partial disability.
8107.	Compensation schedule.
8108.	Reduction of compensation for subsequent injury to same member.
8109.	Beneficiaries of awards unpaid at death; order of precedence.
8110.	Augmented compensation for dependents.
8111.	Additional compensation for services of attendants or vocational rehabilitation.
8112.	Maximum and minimum monthly payments.
8113.	Increase or decrease of basic compensation.
8114.	Computation of pay.
8115.	Determination of wage-earning capacity.
8116.	Limitations on right to receive compensation.
8117.	Time of accrual of right.
8118.	Election to use annual or sick leave. ¹
8119.	Notice of injury or death.
8120.	Report of injury.
8121.	Claim.
8122.	Time for making claim.
8123.	Physical examinations.
8124.	Findings and award; hearings.
8125.	Misbehavior at proceedings.
8126.	Subpenas; oaths; examination of witnesses.
8127.	Representation; attorneys' fees.
8128.	Review of award.
8129.	Recovery of overpayments.
8130.	Assignment of claim.
8131.	Subrogation of the United States.
8132.	Adjustment after recovery from a third person.
8133.	Compensation in case of death.
8134.	Funeral expenses; transportation of body.
8135.	Lump-sum payment.
8136.	Initial payments outside the United States.
8137.	Compensation for noncitizens and non-residents.
8138.	Minimum limit modification for noncitizens and aliens.
8139.	Employees of the District of Columbia.
8140.	Members of the Reserve Officers' Training Corps.
8141.	Civil Air Patrol volunteers.
8142.	Peace Corps volunteers.
8143.	Job Corps enrollees; volunteers in service to America.
8143a.	Members of the National Teacher Corps.
8144.	Student-employees.
8145.	Administration.
8146.	Administration for the Panama Canal Commission and The Alaska Railroad.
8146a.	Cost-of-living adjustment of compensation.
8147.	Employees' Compensation Fund.
8148.	Forfeiture of benefits by convicted felons.
8149.	Regulations.
8150.	Effect on other statutes.
8151.	Civil service retention rights.
8152.	Annual report.

SUBCHAPTER II—EMPLOYEES OF NONAPPROPRIATED FUND INSTRUMENTALITIES

8171.	Compensation for work injuries; generally.
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8172.	Employees not citizens or residents of the United States.
8173.	Liability under this subchapter exclusive.
SUBCHAPTER III—LAW ENFORCEMENT OFFICERS NOT EMPLOYED BY THE UNITED STATES	
8191.	Determination of eligibility.
8192.	Benefits.
8193.	Administration.

AMENDMENTS

2008—Pub. L. 110-181, div. A, title XI, §1105(b), Jan. 28, 2008, 122 Stat. 349, added item 8102a.
1995—Pub. L. 104-66, title I, §1102(b)(3)(B), Dec. 21, 1995, 109 Stat. 723, added item 8152.
1994—Pub. L. 103-333, title I, §101(a)(2), Sept. 30, 1994, 108 Stat. 2547, added item 8148.
1979—Pub. L. 96-70, title III, §3302(e)(12), Sept. 27, 1979, 93 Stat. 499, substituted "Panama Canal Commission" for "Canal Zone" in item 8146.
1974—Pub. L. 93-416, §§12(b), 23(a), Sept. 7, 1974, 88 Stat. 1146, 1150, substituted "Notice of injury or death" for "Notice of injury; failure to give" in item 8119, and added item 8151.
1968—Pub. L. 90-291, §1(b), Apr. 19, 1968, 82 Stat. 100, added subchapter III consisting of items 8191, 8192, and 8193.
1967—Pub. L. 90-83, §1(59), (66)(B), (67)(B), (70), Sept. 11, 1967, 81 Stat. 211, 212, 213, inserted "hearings" in item 8124, added item 8143a relating to members of the National Teachers Corps and item 8146a relating to cost-of-living adjustment of compensation, and struck out item 8148 relating to reports.

SUBCHAPTER I—GENERALLY**§ 8101. Definitions**

For the purpose of this subchapter—

(1) "employee" means—

(A) a civil officer or employee in any branch of the Government of the United States, including an officer or employee of an instrumentality wholly owned by the United States;

(B) an individual rendering personal service to the United States similar to the service of a civil officer or employee of the United States, without pay or for nominal pay, when a statute authorizes the acceptance or use of the service, or authorizes payment of travel or other expenses of the individual;

(C) an individual, other than an independent contractor or an individual employed by an independent contractor, employed on the Menominee Indian Reservation in Wisconsin in operations conducted under a statute relating to tribal timber and logging operations on that reservation;

(D) an individual employed by the government of the District of Columbia;

(E) an individual appointed to a position on the office staff of a former President under section 1(b) of the Act of August 25, 1958 (72 Stat. 838);

(F) an individual selected pursuant to chapter 121 of title 28, and serving as a petit or grand juror; and

(G) an individual who is a System member of the National Urban Search and Rescue Response System during a period of appointment into Federal service pursuant to section 327 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act;

¹ So in original. Does not conform to section catchline.