

retired or retainer pay, section 5532<sup>2</sup> of title 5 shall not apply to reduce the member's retired or retainer pay by reason of the member being paid as a member of the cadre.

#### (4) Voluntary services

Notwithstanding any other provision of law, the Director may accept the voluntary services of individuals. While away from their homes or regular places of business on the business of the Corps, such individuals may be allowed travel expenses, including per diem in lieu of subsistence, in the same amounts and to the same extent, as authorized under section 5703 of title 5 for persons employed intermittently in Federal Government service.

(Pub. L. 101-610, title I, § 159, formerly § 195H, as added Pub. L. 102-484, div. A, title X, § 1092(a)(1), Oct. 23, 1992, 106 Stat. 2528; renumbered § 159 and amended Pub. L. 103-82, title I, § 104(b), (e)(2)(E), title IV, §§ 402(b)(1), 403(a)(1)-(3), (b), Sept. 21, 1993, 107 Stat. 840, 847, 918-920; Pub. L. 103-304, § 3(b)(5)(B), Aug. 23, 1994, 108 Stat. 1567; Pub. L. 103-337, div. A, title VI, § 640, Oct. 5, 1994, 108 Stat. 2791; Pub. L. 111-13, title I, § 1509, Apr. 21, 2009, 123 Stat. 1525.)

#### REFERENCES IN TEXT

Section 4403 of the National Defense Authorization Act for Fiscal Year 1993, referred to in subsec. (c)(2)(D), is section 4403 of Pub. L. 102-484 which is set out as a note under section 1293 of Title 10, Armed Forces.

Section 4464 of that Act, referred to in subsec. (c)(2)(D), is section 4464 of Pub. L. 102-484 which is set out as a note under section 1143a of Title 10.

Section 5532 of title 5, referred to in subsec. (c)(3), was repealed by Pub. L. 106-65, div. A, title VI, § 651(a)(1), Oct. 5, 1999, 113 Stat. 664.

#### CODIFICATION

Section was formerly classified to section 12653h of this title prior to renumbering by Pub. L. 103-82, § 104(b).

#### AMENDMENTS

2009—Subsec. (a). Pub. L. 111-13, § 1509(1)(A), substituted “National Civilian Community Corps Program” for “Civilian Community Corps Demonstration Program” in introductory provisions.

Subsec. (a)(1). Pub. L. 111-13, § 1509(1)(B), inserted “including those” before “recommended” and “National” before “Civilian Community Corps”.

Subsec. (b)(1). Pub. L. 111-13, § 1509(2), inserted “National” before “Civilian Community Corps”.

Subsec. (c)(1)(B)(i). Pub. L. 111-13, § 1509(3)(A), inserted “National” before “Civilian Community Corps”.

Subsec. (c)(2)(A). Pub. L. 111-13, § 1509(3)(B)(i), substituted “The Chief Executive Officer shall establish a permanent cadre that includes the Director and other appointed” for “The Director shall establish a permanent cadre of” and inserted “National” before “Civilian Community Corps”.

Subsec. (c)(2)(B). Pub. L. 111-13, § 1509(3)(B)(ii), substituted “The Chief Executive Officer shall consider the recommendations of the Director in appointing the other members” for “The Director shall appoint the members”.

Subsec. (c)(2)(C). Pub. L. 111-13, § 1509(3)(B)(iii)(I), substituted “the Chief Executive Officer” for “the Director” in introductory provisions.

Subsec. (c)(2)(C)(i). Pub. L. 111-13, § 1509(3)(B)(iii)(II), substituted “section 12622(b)” for “section 12622(a)(2)”.

Subsec. (c)(2)(C)(iv), (v). Pub. L. 111-13, § 1509(3)(B)(iii)(III)-(V), added cl. (iv) and redesignated former cl. (iv) as (v).

Subsec. (c)(2)(E). Pub. L. 111-13, § 1509(3)(B)(iv), substituted “to other members” for “to members”, inserted “, including techniques for working with and enhancing the development of disadvantaged youth,” after “techniques”, and substituted “service-learning” for “service learning”.

Subsec. (c)(3). Pub. L. 111-13, § 1509(3)(C), substituted “other members” for “the members” and “12622(b)(1)” for “section 12622(a)(2)(A)”.

1994—Subsec. (c)(2)(C)(i). Pub. L. 103-304 substituted “section 12622(a)(2)” for “section section 12622(a)(2)”.

Subsec. (c)(3). Pub. L. 103-337 inserted at end “In the case of a member of the permanent cadre who was recommended for appointment in accordance with section 12622(a)(2)(A) of this title and is entitled to retired or retainer pay, section 5532 of title 5 shall not apply to reduce the member's retired or retainer pay by reason of the member being paid as a member of the cadre.”

1993—Subsec. (a). Pub. L. 103-82, § 403(a)(1)(A), (B), substituted “Supervision” for “Board” in heading and “The Chief Executive Officer shall monitor” for “The Board shall monitor” and “the Chief Executive Officer shall—” for “the Board shall—” in introductory provisions.

Pub. L. 103-82, § 104(e)(2)(E)(i)(I), substituted “section 12612” for “section 12653a” in introductory provisions.

Subsec. (a)(1). Pub. L. 103-82, § 403(a)(1)(B), (C), substituted “by the Board” for “by the Director” and “as the Chief Executive Officer” for “as the Board”.

Subsec. (a)(2). Pub. L. 103-82, § 104(e)(2)(E)(i)(II), substituted “section 12611” for “section 12653”.

Subsec. (b). Pub. L. 103-82, § 403(a)(2), substituted “Monitoring and coordination” for “Executive Director” in heading and “The Chief Executive Officer shall” for “The Executive Director of the Commission on National and Community Service shall” in introductory provisions.

Subsec. (b)(2). Pub. L. 103-82, § 402(b)(1), substituted “by the Corporation” for “by the Commission”.

Subsec. (c)(1)(A). Pub. L. 103-82, § 403(a)(3)(A), (b), substituted “the Chief Executive Officer shall appoint a Director” for “the Board, in consultation with the Executive Director, shall appoint a Director of the Civilian Community Corps”.

Subsec. (c)(1)(B)(iii). Pub. L. 103-82, § 403(a)(3)(B), substituted “the Chief Executive Officer” for “the Board through the Executive Director”.

Subsec. (c)(2)(C)(i). Pub. L. 103-82, § 104(e)(2)(E)(ii), substituted “section 12622(a)(2)” for “12653k(a)(2)”.

#### EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111-13 effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111-13, set out as a note under section 4950 of this title.

#### EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by section 104(b), (e)(2)(E) of Pub. L. 103-82 effective Oct. 1, 1993, see section 123 of Pub. L. 103-82, set out as a note under section 1701 of Title 16, Conservation.

Amendment by section 402(b)(1) of Pub. L. 103-82 effective Oct. 1, 1993, see section 406(a) of Pub. L. 103-82, set out as a note under section 5061 of this title.

### § 12620. Status of Corps members and Corps personnel under Federal law

#### (a) In general

Except as otherwise provided in this section, members of the National Civilian Community Corps shall not, by reason of their status as such members, be considered Federal employees or be subject to the provisions of law relating to Federal employment.

#### (b) Work-related injuries

##### (1) In general

For purposes of subchapter I of chapter 81 of title 5 relating to the compensation of Federal

<sup>2</sup> See References in Text note below.

employees for work injuries, members of the Corps shall be considered as employees of the United States within the meaning of the term “employee”, as defined in section 8101 of such title.

**(2) Special rule**

In the application of the provisions of subchapter I of chapter 81 of title 5 to a person referred to in paragraph (1), the person shall not be considered to be in the performance of duty while absent from the person’s assigned post of duty unless the absence is authorized in accordance with procedures prescribed by the Director.

**(c) Tort claims procedure**

A member of the Corps shall be considered an employee of the United States for purposes of chapter 171 of title 28 relating to tort claims liability and procedure.

(Pub. L. 101–610, title I, §160, formerly §195I, as added Pub. L. 102–484, div. A, title X, §1092(a)(1), Oct. 23, 1992, 106 Stat. 2530; renumbered §160, Pub. L. 103–82, title I, §104(b), Sept. 21, 1993, 107 Stat. 840; amended Pub. L. 111–13, title I, §1510, Apr. 21, 2009, 123 Stat. 1526.)

CODIFICATION

Section was formerly classified to section 12653i of this title prior to renumbering by Pub. L. 103–82, §104(b).

PRIOR PROVISIONS

A prior section 160 of Pub. L. 101–610 was classified to section 12611 of this title prior to repeal by Pub. L. 103–82, §104(a).

AMENDMENTS

2009—Subsec. (a). Pub. L. 111–13 inserted “National” before “Civilian Community Corps”.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111–13 effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111–13, set out as a note under section 4950 of this title.

**§ 12621. Contract and grant authority**

**(a) Programs**

The Director may, by contract or grant, provide for any public or private organization to carry out the National Civilian Community Corps program.

**(b) Equipment and facilities**

**(1) Federal and National Guard property**

The Director shall enter into agreements, as necessary, with the Secretary of Defense, the Governor of a State, territory or commonwealth, or the commanding general of the District of Columbia National Guard, as the case may be, to utilize—

(A) equipment of the Department of Defense and equipment of the National Guard; and

(B) Department of Defense facilities and National Guard facilities identified pursuant to section 12622(c) of this title.

**(2) Other property**

The Director may enter into contracts or agreements for the use of other equipment or

facilities to the extent practicable to train and house members of the National Civilian Community Corps and leaders of Corps units.

(Pub. L. 101–610, title I, §161, formerly §195J, as added Pub. L. 102–484, div. A, title X, §1092(a)(1), Oct. 23, 1992, 106 Stat. 2530; renumbered §161 and amended Pub. L. 103–82, title I, §104(b), (e)(2)(F), Sept. 21, 1993, 107 Stat. 840, 847; Pub. L. 111–13, title I, §1511, Apr. 21, 2009, 123 Stat. 1526.)

CODIFICATION

Section was formerly classified to section 12653j of this title prior to renumbering by Pub. L. 103–82, §104(b).

PRIOR PROVISIONS

A prior section 12621, Pub. L. 101–610, title I, §165, Nov. 16, 1990, 104 Stat. 3159, related to rural youth service demonstration project, prior to repeal by Pub. L. 103–82, §104(a).

A prior section 161 of Pub. L. 101–610 was classified to section 12612 of this title prior to repeal by Pub. L. 103–82.

AMENDMENTS

2009—Subsec. (a). Pub. L. 111–13, §1511(1), substituted “carry out the National Civilian Community Corps program” for “perform any program function under this division”.

Subsec. (b)(1)(B). Pub. L. 111–13, §1511(2)(A), substituted “section 12622(c)” for “section 12622(a)(3)”.

Subsec. (b)(2). Pub. L. 111–13, §1511(2)(B), inserted “National” before “Civilian Community Corps”.

1993—Subsec. (b)(1)(B). Pub. L. 103–82, §104(e)(2)(F), substituted “section 12622(a)(3)” for “section 12653k(a)(3)”.

EFFECTIVE DATE OF 2009 AMENDMENT

Amendment by Pub. L. 111–13 effective Oct. 1, 2009, see section 6101(a) of Pub. L. 111–13, set out as a note under section 4950 of this title.

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103–82 effective Oct. 1, 1993, see section 123 of Pub. L. 103–82, set out as a note under section 1701 of Title 16, Conservation.

**§ 12622. Responsibilities of Department of Defense**

**(a) Liaison office**

**(1) Establishment**

Upon the establishment of the Program, the Secretary of Defense shall establish an office to provide for liaison between the Secretary and the National Civilian Community Corps.

**(2) Duties**

The office shall—

(A) in order to assist in the recruitment of personnel for appointment in the permanent cadre, make available to the Director information in the registry established by section 1143a of title 10; and

(B) provide other assistance in the coordination of Department of Defense activities with the Corps.

**(b) Corps cadre**

**(1) List of recommended personnel**

Upon the establishment of the Program, the Secretary of Defense, in consultation with the liaison office established under subsection (a) shall develop a list of individuals from which