

“being an employee of the United States for any other purpose.”

Statutory Notes and Related Subsidiaries

FORGIVENESS OF INDEBTEDNESS

Pub. L. 102-484, div. A, title III, §385(b), Oct. 23, 1992, 106 Stat. 2394, provided that: “The Chairman of the Armed Forces Retirement Board is authorized to cancel the indebtedness of any resident of the Armed Forces Retirement Home for repayment to the United States of amounts paid the resident for services provided to the Retirement Home before the date of the enactment of this Act [Oct. 23, 1992] if the Chairman determines that it would be in the interest of the United States to do so and against equity and good conscience to require the repayment.”

§ 422. Authority to accept certain uncompensated services

(a) Authority to accept services

Subject to subsection (b) and notwithstanding section 1342 of title 31, the Chief Operating Officer or the Administrator of a facility of the Retirement Home may accept from any person voluntary personal services or gratuitous services.

(b) Requirements and limitations

(1) The Chief Operating Officer or the Administrator of a facility accepting the services shall notify the person offering the services of the scope of the services accepted.

(2) The Chief Operating Officer or Administrator shall—

(A) supervise the person providing the services to the same extent as that official would supervise a compensated employee providing similar services; and

(B) ensure that the person is licensed, privileged, has appropriate credentials, or is otherwise qualified under applicable laws or regulations to provide such services.

(3) A person providing services accepted under subsection (a) may not—

(A) serve in a policymaking position of the Retirement Home; or

(B) be compensated for the services by the Retirement Home.

(c) Authority to recruit and train persons providing services

The Chief Operating Officer or the Administrator of a facility of the Retirement Home may recruit and train persons to provide services authorized to be accepted under subsection (a).

(d) Status of persons providing services

(1) Subject to paragraph (3), while providing services accepted under subsection (a) or receiving training under subsection (c), a person shall be considered to be an employee of the Federal Government only for purposes of the following provisions of law:

(A) Subchapter I of chapter 81 of title 5 (relating to compensation for work-related injuries).

(B) Chapter 171 of title 28 (relating to claims for damages or loss).

(2) A person providing services accepted under subsection (a) shall be considered to be an employee of the Federal Government under paragraph (1) only with respect to services that are within the scope of the services accepted.

(3) For purposes of determining the compensation for work-related injuries payable under chapter 81 of title 5 (pursuant to this subsection) to a person providing services accepted under subsection (a), the monthly pay of the person for such services shall be deemed to be the amount determined by multiplying—

(A) the average monthly number of hours that the person provided the services, by

(B) the minimum wage determined in accordance with section 206(a)(1) of title 29.

(e) Reimbursement of incidental expenses

The Chief Operating Officer or the Administrator of a facility accepting services under subsection (a) may provide for reimbursement of a person for incidental expenses incurred by the person in providing the services accepted under subsection (a). The Chief Operating Officer or Administrator shall determine which expenses qualify for reimbursement under this subsection.

(Pub. L. 101-510, div. A, title XV, §1522, as added Pub. L. 104-201, div. A, title X, §1052(a), Sept. 23, 1996, 110 Stat. 2649; amended Pub. L. 107-107, div. A, title XIV, §1404(b)(4), Dec. 28, 2001, 115 Stat. 1260; Pub. L. 112-81, div. A, title V, §564(b)(1), Dec. 31, 2011, 125 Stat. 1424.)

Editorial Notes

AMENDMENTS

2011—Pub. L. 112-81 substituted “Administrator” for “Director” wherever appearing.

2001—Subsec. (a). Pub. L. 107-107, §1404(b)(4)(A), substituted “Chief Operating Officer or the Director of a facility” for “Chairman of the Retirement Home Board or the Director of each establishment” and struck out “unless the acceptance of the voluntary services is disapproved by the Retirement Home Board” before period at end.

Subsec. (b)(1). Pub. L. 107-107, §1404(b)(4)(B), substituted “Chief Operating Officer or the Director of a facility” for “Chairman of the Retirement Home Board or the Director of the establishment” and inserted “offering the services” after “notify the person”.

Subsec. (b)(2). Pub. L. 107-107, §1404(b)(4)(C), substituted “Chief Operating Officer” for “Chairman” in introductory provisions.

Subsec. (c). Pub. L. 107-107, §1404(b)(4)(D), substituted “Chief Operating Officer or the Director of a facility” for “Chairman of the Retirement Home Board or the Director of an establishment”.

Subsec. (e). Pub. L. 107-107, §1404(b)(4)(E), substituted “Chief Operating Officer or the Director of a facility” for “Chairman of the Retirement Board or the Director of the establishment” and “Chief Operating Officer or Director” for “Chairman or Director”.

§ 423. Preservation of historic buildings and grounds at the Armed Forces Retirement Home—Washington

(a) Historic nature of facility

Congress finds the following:

(1) Four buildings located on six acres of the establishment of the Retirement Home known as the Armed Forces Retirement Home—Washington are included on the National Register of Historic Places maintained by the Secretary of the Interior.

(2) Amounts in the Armed Forces Retirement Home Trust Fund, which consists primarily of deductions from the pay of members