Public Law 99-424
99th Congress

An Act

Sept. 30, 1986
[H.R. 3002]

To provide for the establishment of an experimental program relating to the acceptance of voluntary services from participants in an executive exchange program of the Government.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Executive Exchange Program Voluntary Services Act of 1986.
5 USC 4103 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "Executive Exchange Program Voluntary Services Act of 1986".

5 USC 4103 note.

SEC. 2. DEFINITIONS.

For the purposes of this Act—

(1) the term "Government" means the Government of the United States;

(2) the term "participant in an executive exchange program" means an executive, manager, or other individual from the private sector participating in an executive exchange program administered by the President's Commission on Executive Exchange (described in Executive Order 12493, dated December 5, 1984) or by a successor entity in function;

(3) the term "agency" means an Executive agency (as defined by section 105 of title 5, United States Code), the United States Postal Service, and the Postal Rate Commission; and

(4) the term "employee of the Government" means an individual employed in or under an agency.

5 USC 4103 note.

SEC. 3. EXPERIMENTAL PROGRAM.

President of U.S.

(a) The President may establish an experimental program, to be conducted during fiscal years 1987 through 1989, under which voluntary services may be accepted by the Government, without regard to section 1342 of title 31, United States Code.

(b) Under the program, the voluntary services of an individual may be accepted if—

(1) such individual is a participant in an executive exchange program;

(2) the acceptance of such services will not result in the displacement of any employee of the Government; and

(3) the voluntary services will be performed in or under an agency.

(c)(1) An individual performing voluntary services under the experimental program shall, for purposes of any laws, rules, and regulations of the United States (including those relating to conflicts of interest, financial disclosure, and standards of conduct) be considered an individual employed in or under the agency to which assigned, except that such individual shall not be covered by chapter 51, 53, 63, 83, 87, or 89 of title 5, United States Code, or any comparable provision relating to pay, leave, retirement, life insurance, or health benefits for employees of the Government.

5 USC 5101 *et seq.*, 5301 *et seq.*, 6301 *et seq.*, 8301 *et seq.*, 8701 *et seq.*, 8901 *et seq.*

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(d) Not more than ten individuals may commence participation in the experimental program during any fiscal year.

(e)(1) Nothing in this Act shall prevent—

(A) the continuation of pay and other benefits from the private-sector employer, or

(B) continued participation in a bona fide pension, retirement, group life, health or accident insurance, profit-sharing, stock bonus, or other employee welfare or benefit plan maintained by the private-sector employer,

for an individual performing voluntary services in the experimental program.

(2) For the purpose of this section, the term "private-sector employer", as used with respect to an individual, means the corporation or other person by which such individual was employed immediately before beginning to perform voluntary services in the experimental program.

SEC. 4. REPORTS. 5 USC 4103 note.

Not later than March 31, 1989, the General Accounting Office shall transmit to the Congress a report on the experimental program under this Act. The report shall include a description of the administration of the program, the findings of the General Accounting Office relating to the advantages and disadvantages of accepting voluntary services from participants in an executive exchange program, and recommendations for legislation (if any) relating to the continuation of the program.

Approved September 30, 1986.

LEGISLATIVE HISTORY—H.R. 3002:

HOUSE REPORTS: No. 99-505 (Comm. on Post Office and Civil Service).
SENATE REPORTS: No. 99-409 (Comm. on Governmental Affairs).
CONGRESSIONAL RECORD, Vol. 132 (1986):
Apr. 8, considered and passed House.
Sept. 11, considered and passed Senate, amended.
Sept. 16, House concurred in Senate amendment.