

93-416, §23(b), Sept. 7, 1974, 88 Stat. 1150; Pub. L. 115-256, title I, §102, Oct. 9, 2018, 132 Stat. 3652.)

HISTORICAL AND REVISION NOTES
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
.....	22 U.S.C. 2504(d).	Sept. 22, 1961, Pub. L. 87-293, §5(d), 75 Stat. 613.

Subsection (a) is based on sections 2504(a), 2505, and 2507(a) of title 22.

In subsection (b), the words “Subject to the provisions of this section” are added for clarity and to conform to the style of sections 8140 and 8141. The words “of the United States Government” are omitted as unnecessary in view of the definition of “employee” in section 8101(1).

In subsection (c), the words “outside the several States, territories and possessions of the United States, and the District of Columbia” are substituted for “abroad” on authority of section 2522(a), (b) of title 22. References to “the general schedule established by the Classification Act of 1949, as amended” are omitted as unnecessary.

Subsection (c)(4) is added on authority of section 2522(e) of title 22.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

Section 8142 of title 5 was derived from section 2504(d) of title 22. This amendment reflects changes, effected by the act of Sept. 13, 1966, Public Law 89-572, section 4, 80 Stat. 765, in the definitions applicable to section 2504(d) by virtue of section 2522(a), (b) of title 22.

Editorial Notes

AMENDMENTS

2018—Subsec. (d). Pub. L. 115-256 added subsec. (d).
1974—Subsec. (c)(2). Pub. L. 93-416 inserted provision relating to a volunteer with one or more minor children.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-416 effective on Sept. 7, 1974, and applicable to any injury or death occurring on or after such effective date, see section 23(a) of Pub. L. 93-416, set out as a note under section 8101 of this title.

§ 8143. Job Corps enrollees; volunteers in service to America

(a) Subject to the provisions of this subsection, this subchapter applies to an enrollee in the Job Corps, except that compensation for disability does not begin to accrue until the day after the date on which the injured enrollee is terminated. In administering this subchapter for an enrollee covered by this subsection—

(1) the monthly pay of an enrollee is deemed that received at the minimum rate for GS-2;

(2) section 8113(a) of this title applies to an enrollee; and

(3) “performance of duty” does not include an act of an enrollee while absent from his assigned post of duty, except while participating in an activity (including an activity while on pass or during travel to or from the post of duty) authorized by or under the direction and supervision of the Job Corps.

(b) This subchapter applies to a volunteer in service to America who receives either a living allowance or a stipend under part A of subchapter VIII of chapter 34 of title 42, with respect to that service and training, to the same extent as enrollees of the Job Corps under subsection (a) of this section. However, for the purpose of the computation described in subsection (a)(1) of this section, the monthly pay of a volunteer is deemed that received at the minimum rate for GS-5 of the General Schedule under section 5332 of title 5, United States Code.

(Pub. L. 89-554, Sept. 6, 1966, 80 Stat. 553; Pub. L. 90-83, §1(65), Sept. 11, 1967, 81 Stat. 212; Pub. L. 90-623, §1(19), Oct. 22, 1968, 82 Stat. 1313; Pub. L. 93-416, §8(b), Sept. 7, 1974, 88 Stat. 1145; Pub. L. 103-82, title III, §384, Sept. 21, 1993, 107 Stat. 915.)

HISTORICAL AND REVISION NOTES
1966 ACT

<i>Derivation</i>	<i>U.S. Code</i>	<i>Revised Statutes and Statutes at Large</i>
(a)	42 U.S.C. 2716(c).	Aug. 20, 1964, Pub. L. 88-452, §106(c), 78 Stat. 510.
(b)	42 U.S.C. 2943(d) (words after 6th comma, as applicable to 42 U.S.C. 2716(c)).	Aug. 20, 1964, Pub. L. 88-452, §603(d) (words after 6th comma, as applicable to §106(c)), 78 Stat. 531.

In subsection (a)(1), reference to “the Classification Act of 1949 (5 U.S.C. 1071 et seq.)” is omitted as unnecessary. In subsection (a)(3)(B), the word “his” is substituted for “his or her” on authority of 1 U.S.C. 1.

In subsection (b), the words “in service to America” are inserted after “volunteer” for clarity.

Standard changes are made to conform with the definitions applicable and the style of this title as outlined in the preface to the report.

1967 ACT

<i>Section of title 5</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
8143(a)(1) ...	42: 2716(c)(2)(B).	Nov. 8, 1966, Pub. L. 89-794, §109, 80 Stat. 1453.
8143(a)(3) ...	42: 2716(c)(2)(A).	Oct. 9, 1965, Pub. L. 89-253, §6, 79 Stat. 973.
8143(b)	42: 2991c(b) (as applicable to 42: 2716(c)).	Nov. 8, 1966, Pub. L. 89-794, §801 “Sec. 804(b) (as applicable to §106(c) of the Economic Opportunity Act of 1964)”, 80 Stat. 1474.

In subsection (a)(3), the words “in the Federal Employees’ Compensation Act” are omitted as unnecessary since that act is codified in that subchapter of title 5, United States Code, in which section 8143 is a part. The word “his” is substituted for “his or hers” on authority of 1 U.S.C. 1. The words “Job Corps” are substituted for “Corps” on authority of 42 U.S.C. 2712.

In subsection (b), the words “in service to America” are inserted after “volunteer” in two places for clarity. The words “subsection (a)(2) of this section” are substituted for “paragraph (2)(B) of section 106(c)” to reflect the codification of that paragraph in title 5. The words “at the minimum rate for GS-7” are substituted for “under the entrance salary for GS-7 of the General Schedule for section 5332, title 5, United States Code” to conform to the style of title 5.

Editorial Notes

REFERENCES IN TEXT

Part A of subchapter VIII of chapter 34 of title 42, referred to in subsec. (b), is part A of title VIII of Pub.

L. 88-452, Aug. 20, 1964, 73 Stat. 508, known as the Economic Opportunity Act of 1964. Part A of title VIII of that Act, as added by Pub. L. 90-222, title I, §110, Dec. 23, 1967, 81 Stat. 722, was classified generally to part A (§2992 et seq.) of subchapter VIII of chapter 34 of Title 42, The Public Health and Welfare, prior to its repeal by Pub. L. 93-113, title VI, §603, Oct. 1, 1973, 87 Stat. 417. See sections 4951 et seq. and 5055 of Title 42.

AMENDMENTS

1993—Subsec. (b). Pub. L. 103-82 substituted “GS-5 of the General Schedule under section 5332 of title 5, United States Code” for “GS-7”.

1974—Pub. L. 93-416 struck out “, (b)” after “section 8113(a)”.

1968—Pub. L. 90-623 reenacted section in its entirety making minor changes in phraseology.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-82 effective Oct. 1, 1993, see section 392 of Pub. L. 103-82, set out as a note under section 4951 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1974 AMENDMENT

Amendment by Pub. L. 93-416 applicable to case where injury or death occurred prior to Sept. 7, 1974, but only to a period beginning on or after Sept. 7, 1974, see section 28(a) of Pub. L. 93-416, set out as a note under section 8101 of this title.

EFFECTIVE DATE OF 1968 AMENDMENT

Amendment by Pub. L. 90-623 intended to restate without substantive change the law in effect on Oct. 22, 1968, see section 6 of Pub. L. 90-623, set out as a note under section 5334 of this title.

§ 8143a. Members of the National Teacher Corps

Subject to the provisions of this section, this subchapter applies to a member of the National Teacher Corps. In administering this subchapter for a member covered by this section—

(1) “performance of duty” does not include an act of a member while—

- (A) on authorized leave; or
- (B) absent from his assigned post of duty, except while participating in an activity authorized by or under the direction or supervision of the Commissioner of Education; and

(2) in computing compensation for disability or death, the monthly pay of a member is deemed his actual pay or that received at the minimum rate for GS-6, whichever is greater.

(Added Pub. L. 90-83, §1(66)(A), Sept. 11, 1967, 81 Stat. 212.)

HISTORICAL AND REVISION NOTES

Section of title 5	Source (U.S. Code)	Source (Statutes at Large)
8143a	20: 1105(b).	Nov. 8, 1965, Pub. L. 89-329, §515(b), 79 Stat. 1257.

The words “a member of the National Teacher Corps” are substituted for “such members” on authority of 20 U.S.C. 1102, 1105(a). In paragraph (1)(B), the words “Commissioner of Education” are substituted for “Commissioner” on authority of 20 U.S.C. 1141(f). In paragraph (2), the words “at the minimum rate for GS-6” are substituted for “under the entrance salary for grade 6,” and the reference to the General Schedule of the Classification Act of 1949 is omitted as unnecessary.

Statutory Notes and Related Subsidiaries

TRANSFER OF FUNCTIONS

Functions of Commissioner of Education of Department of Health, Education, and Welfare transferred to Secretary of Education by section 3441(a)(1) of Title 20, Education.

§ 8143b. Employees in fire protection activities

(a) DEFINITIONS.—In this section:

(1) EMPLOYEE IN FIRE PROTECTION ACTIVITIES.—The term “employee in fire protection activities” means an employee employed as a firefighter (including a wildland firefighter), paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous material worker who—

- (A) is trained in fire suppression;
- (B) has the legal authority and responsibility to engage in fire suppression;
- (C) is engaged in the prevention, control, or extinguishment of fires or response to emergency situations in which life, property, or the environment is at risk, including the prevention, control, suppression, or management of wildland fires; and
- (D) performs the activities described in subparagraph (C) as a primary responsibility of the job of the employee.

(2) RULE.—The term “rule” has the meaning given the term in section 804.

(3) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(b) CERTAIN ILLNESSES AND DISEASES¹ DEEMED TO BE PROXIMATELY CAUSED BY EMPLOYMENT IN FIRE PROTECTION ACTIVITIES.—

(1) IN GENERAL.—For a claim under this subchapter of disability or death of an employee who has been employed for not less than 5 years in aggregate as an employee in fire protection activities, an illness or disease specified on the list established under paragraph (2) shall be deemed to be proximately caused by the employment of that employee, if the employee is diagnosed with that illness or disease not later than 10 years after the last activedate² of employment as an employee in fire protection activities.

(2) ESTABLISHMENT OF INITIAL LIST.—There is established under this section the following list of illnesses and diseases:

- (A) Bladder cancer.
- (B) Brain cancer.
- (C) Chronic obstructive pulmonary disease.
- (D) Colorectal cancer.
- (E) Esophageal cancer.
- (F) Kidney cancer.
- (G) Leukemias.
- (H) Lung cancer.
- (I) Mesothelioma.
- (J) Multiple myeloma.
- (K) Non-Hodgkin lymphoma.
- (L) Prostate cancer.
- (M) Skin cancer (melanoma).

(N) A sudden cardiac event or stroke suffered while, or not later than 24 hours after, engaging in the activities described in subsection (a)(1)(C).

¹ So in original. Probably should be “DISEASES”.

² So in original.