

(G) one representative of the Department of Defense to be appointed by the Secretary of Defense;

(2) one member from each of the following organizations, appointed by the governing council or board of the respective organization:

- (A) the American Historical Association;
- (B) the Organization of American Historians;
- (C) the Society of American Archivists;
- (D) the American Association for State and Local History;
- (E) the Association for Documentary Editing; and
- (F) the National Association for Government Archives and Records Administrators; and

(3) two other members, outstanding in the fields of the social or physical sciences, the arts, or archival or library science, appointed by the President of the United States.

(b)(1) The members appointed under subsection (a) shall be appointed for not more than 2 terms of 4 years, except that—

(A) a member appointed under subsection (a)(1)(D) shall be appointed for not more than 4 terms of 2 years; and

(B) the Archivist and the Librarian of Congress are permanent ex officio members.

(2) A member may continue to serve after the expiration of a term until a successor has been appointed, but not to exceed one year.

(c) The Commission shall meet at least annually and at call of the Chairman.

(d) RECUSAL.—Members of the Commission shall recuse themselves from voting on any matter that poses, or could potentially pose, a conflict of interest, including a matter that could benefit them or an entity they represent.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1293; Pub. L. 92-546, §1(a), Oct. 25, 1972, 86 Stat. 1155; Pub. L. 93-536, §1(b), Dec. 22, 1974, 88 Stat. 1735; Pub. L. 96-98, §2(b), Nov. 1, 1979, 93 Stat. 731; Pub. L. 98-497, title I, §107(b)(9), Oct. 19, 1984, 98 Stat. 2287; Pub. L. 100-365, §2(a), July 13, 1988, 102 Stat. 823; Pub. L. 110-404, §3(a)(1), (b)(1), Oct. 13, 2008, 122 Stat. 4282.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §§391 (part), 393(a) (June 30, 1949, ch. 288, title I, §104, 63 Stat. 381, and title V, §503(a) as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

This section incorporates only the last sentence of paragraph (b) of former section 391. The balance of that section will be found in sections 1506, 2102, 2301, and 2902 of the revision.

#### AMENDMENTS

2008—Subsec. (b)(1). Pub. L. 110-404, §3(a)(1)(A), inserted “not more than 2” after “subsection (a) shall be appointed for” in introductory provisions.

Subsec. (b)(1)(A). Pub. L. 110-404, §3(a)(1)(B), substituted “not more than 4 terms” for “a term”.

Subsec. (d). Pub. L. 110-404, §3(b)(1), added subsec. (d). 1988—Pub. L. 100-365 substituted “appointment and tenure; meetings” for “appointment and tenure” in section catchline, and amended text generally, revising and restating as subsecs. (a) to (c) provisions formerly contained in a single undesignated paragraph.

1984—Pub. L. 98-497 struck out “The authority of the Administrator of General Services under section 754 of title 40 to regroup, transfer, and distribute functions within the General Services Administration does not extend to the Commission or its functions.”

1979—Pub. L. 96-98 inserted “and Records” after “Publications”.

1974—Pub. L. 93-536 inserted provision relating to appointment and term of two members of Society of American Archivists, and two members of American Association for State and Local History.

1972—Pub. L. 92-546 provided for two additional members of the Organization of American Historians to be appointed for terms of four years by Executive Board of Organization, one to be appointed for a term of two years and his successors for a term of four years.

#### EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110-404, §3(a)(2), Oct. 13, 2008, 122 Stat. 4282, provided that: “The restrictions on the terms of members of the National Historical Publications and Records Commission provided in the amendments made by paragraph (1) [amending this section] shall apply to members serving on or after the date of enactment of this Act [Oct. 13, 2008].”

Pub. L. 110-404, §3(b)(2), Oct. 13, 2008, 122 Stat. 4283, provided that: “The requirement of recusal provided in the amendment made by paragraph (1) [amending this section] shall apply to members of the National Historical Publications and Records Commission serving on or after the date of enactment of this Act [Oct. 13, 2008].”

#### EFFECTIVE DATE OF 1988 AMENDMENT

Section 2(b) of Pub. L. 100-365 provided that: “The amendment made by this section [amending this section] shall be effective on January 1, 1989, and shall apply to the appointment of any member on the expiration of a predecessor’s term as follows:

“(1) The next two members appointed to such Commission after such date shall be appointed pursuant to section 2501(a)(2)(E) and (F) of title 44, United States Code, as amended by this section.

“(2) Notwithstanding section 2501(b)(1), the first members appointed pursuant to section 2501(a)(2)(B) and (C) after January 1, 1991, shall be appointed for terms of one year.”

#### EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section 301 of Pub. L. 98-497, set out as a note under section 2102 of this title.

### § 2502. Vacancies

A person appointed to fill a vacancy in the membership of the Commission shall be appointed only for the unexpired term of the member whom he succeeds, and his appointment shall be made in the same manner as the appointment of his predecessor.

(Pub. L. 90-620, Oct. 22, 1968, 82 Stat. 1294.)

#### HISTORICAL AND REVISION NOTES

Based on 44 U.S. Code, 1964 ed., §393(b) (June 30, 1949, ch. 288, title V, §503(b), as added Sept. 5, 1950, ch. 849, §6(d), 64 Stat. 583).

### § 2503. Executive director, staff, transportation expenses

(a) The Commission may appoint, without reference to chapter 51 of title 5, an executive director. The Chairman may appoint such other employees as may be necessary to carry out the purposes of this chapter.

(b) Members of the Commission shall be allowed travel expenses (including per diem allow-