

zation and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

**ENTITLEMENT TO BENEFITS FOR SERVICES PERFORMED OUTSIDE UNITED STATES; SERVICE EXCEEDING THIRTY MONTHS**

Persons appointed, employed, or assigned after May 19, 1959, under former section 1787(c) of this title or subsec. (d) of this section for the purpose of performing functions under the Mutual Security Act of 1954 (see Short Title note set out under section 1754 of this title) and this chapter, outside the United States, shall not, unless otherwise agreed by the agency in which such benefits may be exercised, be entitled to the benefits provided for by section 3950 of this title in cases in which their service under the appointment, employment, or assignment exceeds thirty months, see Ex. Ord. No. 12163, § 1-602(b), Sept. 29, 1979, 44 F.R. 56677, as amended, set out as a note under section 2381 of this title.

**§ 2385a. Unified personnel system**

**(a) Establishment by regulations**

Not later than May 1, 1979, the President shall submit to the Congress, and publish in the Federal Register, regulations establishing a unified personnel system for all employees of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.]. In preparing such regulations, the President shall keep the appropriate committees of the Congress fully and currently informed, and shall consult with them on a regular basis, concerning the nature of the unified personnel system to be established.

**(b) Effective date of regulations**

The regulations submitted to the Congress pursuant to subsection (a)—

(1) may not become effective until after the end of the 90-day period beginning on the date of such submission in order to provide the appropriate committees of the Congress an opportunity to review them; and

(2) shall not become effective then if, during such 90-day period, either House of Congress adopts a resolution stating in substance that it disapproves the personnel system proposed to be established by the regulations.

**(c) Force and effect of regulations**

Regulations which take effect pursuant to this section shall have the force and effect of law and shall apply with respect to the personnel of the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 [22 U.S.C. 2151 et seq.], notwithstanding and<sup>1</sup> inconsistent provision of law unless that provision of law specifically states that it supersedes regulations issued under this section.

(Pub. L. 95-424, title IV, § 401, Oct. 6, 1978, 92 Stat. 956; Pub. L. 96-53, title V, § 503(a), Aug. 14, 1979, 93 Stat. 378.)

**REFERENCES IN TEXT**

The Foreign Assistance Act of 1961, referred to in subsecs. (a) and (c), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424. Part I of the Foreign Assistance Act of 1961 is classified generally to subchapter I (§ 2151 et seq.) of this chapter. For provisions deeming references to sub-

chapter I to include parts IV (§ 2346 et seq.), VI (§ 2348 et seq.), and VIII (§ 2349aa et seq.) of subchapter II of this chapter, see section 202(b) of Pub. L. 92-226, set out as a note under section 2346 of this title, and sections 2348c and 2349aa-5 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

**CODIFICATION**

Section enacted as part of the International Development and Food Assistance Act of 1978, and not as part of the Foreign Assistance Act of 1961 which comprises this chapter.

**AMENDMENTS**

1979—Subsec. (a). Pub. L. 96-53 substituted “May 1” for “March 15”.

**EFFECTIVE DATE OF 1979 AMENDMENT**

Pub. L. 96-53, title V, § 503(b), Aug. 14, 1979, 93 Stat. 378, provided that: “The amendment made by subsection (a) [amending this section] shall be effective as of March 15, 1979.”

**EFFECTIVE DATE**

Section effective Oct. 1, 1978, see section 605 of Pub. L. 95-424, set out as an Effective Date of 1978 Amendment note under section 2151 of this title.

**§ 2386. Experts, consultants, and retired officers**

**(a) Employment; compensation; renewal of contracts of employment**

Experts and consultants or organizations thereof may as authorized by section 3109 of title 5 be employed for the performance of functions under this chapter, and individuals so employed may be compensated at rates not in excess of the daily equivalent of the highest rate which may be paid to an employee under the General Schedule established by section 5332 of title 5, and while away from their homes or regular places of business, they may be paid actual travel expenses and per diem in lieu of subsistence at the applicable rate prescribed in the standardized Government travel regulations, as amended from time to time. Contracts for such employment with such organizations, employment of personnel as experts and consultants, not to exceed ten in number, contracts for such employment of retired military personnel with specialized research and development experience, not to exceed ten in number, and contracts for such employment of retired military personnel with specialized experience of a broad politico-military nature, not to exceed five in number, may be renewed annually.

**(b) Exemption from certain Federal laws**

Service of an individual as an expert or consultant under subsection (a) of this section shall not be considered as employment or holding of office or position bringing such individual within the provisions of section 3323(a) of title 5.

**(c) Employment without compensation of persons of outstanding experience and ability**

Persons of outstanding experience and ability may be employed without compensation by any agency of the United States Government for the performance of functions under this chapter in accordance with the provisions of section 4560(b) of title 50, and regulations issued thereunder.

(Pub. L. 87-195, pt. III, § 626, Sept. 4, 1961, 75 Stat. 451; Pub. L. 88-205, pt. III, § 302(c), Dec. 16, 1963,

<sup>1</sup> So in original. Probably should be “any”.