

For complete classification of this Act to the Code, see Short Title note set out under section 2501 of this title and Tables.

The Foreign Service Act of 1980, referred to in subsec. (a)(5), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, which is classified principally to chapter 52 (§3901 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of this title and Tables.

The Renegotiation Act of 1951, as amended, referred to in subsec. (d), is act Mar. 23, 1951, ch. 15, 65 Stat. 7, as amended, which was classified principally to section 1211 et seq. of the former Appendix to Title 50, War and National Defense, prior to its omission from the Code.

#### CODIFICATION

In subsec. (d), “sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41” substituted for “section 3709 of the Revised Statutes of the United States, as amended, section 302 of the Federal Property and Administrative Services Act of 1949,” on authority of Pub. L. 111-350, §6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

#### AMENDMENTS

2018—Subsec. (k). Pub. L. 115-256 added subsec. (k).

2011—Subsec. (a)(5). Pub. L. 112-57 substituted “the purposes of any law administered by the Office of Personnel Management (except that the President may determine the applicability to such individuals of provisions of the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.))” for “any purpose”.

1999—Subsec. (a)(4). Pub. L. 106-30 substituted “section 1342 of title 31” for “31 U.S.C. 665(b)”.

1994—Subsec. (c). Pub. L. 103-236, §602(a), which directed amendment of subsec. (c) by substituting “five years” for “thirty six months”, was executed by making the substitution for “thirty-six months” to reflect the probable intent of Congress.

Subsec. (j). Pub. L. 103-236, §602(b), inserted before period at end of first sentence “, and to individuals employed under personal services contracts to furnish medical services abroad pursuant to subsection (a)(5) of this section.”

1981—Subsecs. (i), (j). Pub. L. 97-113 added subsecs. (i) and (j).

1978—Subsec. (a)(2). Pub. L. 95-331, §5(a)(1), struck out proviso limiting to no more than 125 Peace Corps volunteers or volunteer leaders the number assignable to the described organizations.

Subsec. (a)(3) to (5). Pub. L. 95-331, §5(c), added par. (3) and redesignated former pars. (3) and (4) as (4) and (5), respectively.

Subsec. (b). Pub. L. 95-331, §5(a)(2), substituted “\$20,000” for “\$10,000”.

Subsec. (h). Pub. L. 95-331, §5(a)(3), added subsec. (h).

1973—Subsec. (d). Pub. L. 93-49 excepted from waiver of Federal laws the application of sections 5 and 252 of title 41.

1966—Subsec. (a)(3). Pub. L. 89-572 inserted “or transfer” after “and employ” and struck out “, and transfer such money or property to the government or other entities of the country or area with which the volunteers are serving, when such transfers would further the general purposes of the chapter”.

1965—Subsec. (a)(3). Pub. L. 89-134 inserted “money or” after “and transfer such”.

1963—Subsec. (a)(3). Pub. L. 88-200 inserted provision for transfer of property.

#### EFFECTIVE DATE OF 1978 AMENDMENT

Pub. L. 95-331, §5(b), Aug. 2, 1978, 92 Stat. 415, provided that: “The amendment made by paragraph (2) of subsection (a) [amending this section] shall apply to claims made after the date of the enactment of this Act [Aug. 2, 1978].”

#### DELEGATION OF FUNCTIONS; ALLOCATION OF FUNDS

Funds available to President under this chapter allocated to and functions of President under this section,

except subsec. (d) and those functions under subsec. (f) relating to directing agencies to provide services, facilities, and commodities to officers carrying out functions under this chapter, were delegated to Director of Peace Corps by sections 1-103 and 1-301(a), (d) of Ex. Ord. No. 12137, May 16, 1979, 44 F.R. 29203, eff. May 16, 1979, set out as a note under section 2501 of this title.

#### PROHIBITION AGAINST USE OF FUNDS APPROPRIATED AFTER FEBRUARY 15, 1981, AND BEFORE DECEMBER 29, 1981, FOR LEGAL SERVICES OR MALPRACTICE PROTECTION

Pub. L. 97-113, title VI, §604(c), Dec. 29, 1981, 95 Stat. 1543, provided: “To the extent that the authorities provided by the amendments made by subsection (a) [enacting subsecs. (i) and (j) of this section] are authorities which are not applicable with respect to the Peace Corps immediately before the enactment of this Act [Dec. 29, 1981] and which require the expenditure of funds, those authorities may not be exercised using any funds appropriated after February 15, 1981, and before the date of the enactment of this Act.”

#### WAIVER OF CERTAIN LAWS BY PRESIDENT UNDER SUBSEC. (d)

For determination under subsec. (d) of this section that it is in the furtherance of the purposes of this chapter and that the functions under this chapter may be performed without regard to the applicable laws specified in section 1 and 2 of Ex. Ord. No. 11223, May 12, 1965, 30 F.R. 6635, set out as a note under section 2393 of this title, with certain limitations see section 1-402 of Ex. Ord. No. 12137, May 16, 1979, 44 F.R. 29203, set out as a note under section 2501 of this title.

### § 2510. Omitted

#### CODIFICATION

Section. Pub. L. 87-293, title I, §11, Sept. 22, 1961, 75 Stat. 619; Pub. L. 95-331, §6, Aug. 2, 1978, 92 Stat. 415; Pub. L. 99-83, title XI, §1102(b), Aug. 8, 1985, 99 Stat. 272, which required the President to transmit to Congress, at least once in each fiscal year, a report on operations under this chapter, terminated, effective May 15, 2000, pursuant to section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance. See, also, page 26 of House Document No. 103-7.

### § 2511. Peace Corps National Advisory Council

#### (a) Establishment

A Peace Corps National Advisory Council (hereinafter in this section referred to as the “Council”) shall be established in accordance with the provisions of this section.

#### (b) Functions

(1) The Council shall advise and consult with the President and the Director of the Peace Corps with regard to policies and programs designed to further the purposes of this chapter and shall, as the Council considers appropriate, periodically report to the Congress with regard to the Peace Corps.

(2) Members of the Council shall (subject to subsection (d)(1)) conduct on-site inspections, and make examinations, of the activities of the Peace Corps in the United States and in other countries in order to—

(A) evaluate the accomplishments of the Peace Corps;

(B) assess the potential capabilities and the future role of the Peace Corps;

(C) make recommendations to the President, the Director of the Peace Corps, and, as the

Council considers appropriate, the Congress, for the purpose of guiding the future direction of the Peace Corps and of helping to ensure that the purposes and programs of the Peace Corps are carried out in ways that are economical, efficient, responsive to changing needs in developing countries and to changing relationships among people, and in accordance with law; and

(D) make such other evaluations, assessments, and recommendations as the Council considers appropriate.

(3) The Council may provide for public participation in its activities.

**(c) Membership**

(1) Persons appointed as members of the Council shall be broadly representative of the general public, including educational institutions, private volunteer agencies, private industry, farm organizations, labor unions, different regions of the United States, different educational, economic, racial, and national backgrounds and age groupings, and both sexes.

(2)(A) The Council shall consist of fifteen voting members who shall be appointed by the President, by and with the advice and consent of the Senate. At least seven of such members shall be former Peace Corps volunteers, and not more than eight of such members shall be members of the same political party.

(B) The first appointments of members of the Council under this paragraph shall be made not more than sixty days after August 8, 1985, and, solely for purposes of determining the expiration of their terms, shall be deemed to take effect on the sixtieth day after August 8, 1985.

(C) No member appointed under this paragraph may be an officer or employee of the United States Government.

(D) Of the members initially appointed under this paragraph, eight shall be appointed to 1-year terms and seven shall be appointed to 2-year terms. Thereafter, all appointed members shall be appointed to 2-year terms.

(E) A member of the Council appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term.

(F) No member of the Council may serve for more than two consecutive 2-year terms.

(G) Members of the Council shall serve at the pleasure of the President.

(H) An appointed member of the Council may be removed by a vote of nine members for malfeasance in office, for persistent neglect of or inability to discharge duties, or for offenses involving moral turpitude, and for no other cause.

(I) Within thirty days after any vacancy occurs in the office of an appointed member of the Council, the President shall nominate an individual to fill the vacancy.

(3) In addition to the voting members of the Council, the Secretary of State and the Administrator of the Agency for International Development, or their designees, and the Director and Deputy Director of the Peace Corps, shall be non-voting members, ex officio, of the Council.

**(d) Compensation**

(1) Except as provided in paragraph (2), a member of the Council who is not an officer or employee of the United States Government—

(A) shall be paid compensation out of funds made available for the purposes of this chapter at the daily equivalent of the highest rate payable under section 5332 of title 5 for each day (including travel time) during which the member is engaged in the actual performance of duties as a Council member, and

(B) while away from his or her home or regular place of business on necessary travel, as determined by the Director of the Peace Corps, in the actual performance of duties as a Council member, shall be paid per diem, travel, and transportation expenses in the same manner as is provided under subchapter I of chapter 57 of title 5.

(2) A member of the Council may not be paid compensation under paragraph (1)(A) for more than twenty days in any calendar year.

**(e) Quorum**

A majority of the voting members of the Council shall constitute a quorum for the purposes of transacting any business.

**(f) Financial interests of members**

A member of the Council shall disclose to the Council the existence of any direct or indirect financial interest of that member in any particular matter before the Council and may not vote or otherwise participate as a Council member with respect to that particular matter.

**(g) Chair and Vice Chair**

At its first meeting and at its first regular meeting in each calendar year thereafter, the Council shall elect a Chair and Vice Chair from among its appointed members who are citizens of the United States. The Chair and Vice Chair may not both be members of the same political party.

**(h) Meetings, bylaws, and regulations**

(1) The Council shall hold a regular meeting during each calendar quarter and shall meet at the call of the President, the Director of the Peace Corps, the Council's Chair, or one-fourth of its members.

(2) The Council shall prescribe such bylaws and regulations as it considers necessary to carry out its functions. Such bylaws and regulations shall include procedures for fixing the time and place of meetings, giving or waiving of notice of meetings, and keeping of minutes of meetings.

**(i) Reports to the President and the Director**

Not later than January 1, 1988, and not later than January 1 of each second year thereafter, the Council shall submit to the President and the Director of the Peace Corps a report on its views on the programs and activities of the Peace Corps. Each report shall contain a summary of the advice and recommendations provided by the Council to the President and the Director during the period covered by the report and such recommendations (including recommendations for administrative or legislative action) as the Council considers appropriate to

make to the Congress. Within ninety days after receiving each such report, the President shall submit to the Congress a copy of the report, together with any comments concerning the report that the President or the Director considers appropriate.

**(j) Administrative assistance**

The Director of the Peace Corps shall make available to the Council such personnel, administrative support services, and technical assistance as are necessary to carry out its functions effectively.

(Pub. L. 87-293, title I, §12, as added Pub. L. 99-83, title XI, §1104(a), Aug. 8, 1985, 99 Stat. 273.)

REFERENCES IN TEXT

This chapter, referred to in subsecs. (b)(1) and (d)(1)(A), was in the original “this Act”, meaning Pub. L. 87-293, Sept. 22, 1961, 75 Stat. 612, as amended, known as the Peace Corps Act. For complete classification of this Act to the Code, see Short Title note set out under section 2501 of this title and Tables.

PRIOR PROVISIONS

A prior section 2511, Pub. L. 87-293, title I, §12, Sept. 22, 1961, 75 Stat. 619, established Peace Corps National Advisory Council and set forth its composition, functions, and terms of members, prior to repeal by Pub. L. 92-352, title IV, §403, July 13, 1972, 86 Stat. 495, effective 90 days after July 13, 1972.

EFFECTIVE DATE

Section effective Oct. 1, 1985, see section 1301 of Pub. L. 99-83, set out as an Effective Date of 1985 Amendment note under section 2151-1 of this title.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of provisions in subsec. (i) of this section relating to requirement that the President submit to Congress a copy of each report received under subsec. (i), see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 14 of House Document No. 103-7.

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

TERMINATION OF SIMILAR ADVISORY BODY

Pub. L. 99-83, title XI, §1104(b), Aug. 8, 1985, 99 Stat. 275, provided that: “Any advisory body carrying out functions similar to those assigned to the Peace Corps National Advisory Council provided for in subsection (a) [enacting this section] shall cease to exist sixty days after the date of the enactment of this Act [Aug. 8, 1985].”

**§ 2512. Experts and consultants**

**(a) Employment; compensation, travel expenses and per diem; renewal of contracts**

Experts and consultants or organizations thereof may, as authorized by section 3109 of title 5, be employed by the President for the per-

formance of functions under this chapter, and individuals so employed may be compensated at rates not in excess of the per diem equivalent of the highest rate payable under 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 and other expenses at the applicable rate prescribed in the Standardized Government Travel Regulations, as amended from time to time, while so employed: *Provided*, That contracts for such employment may be renewed annually.

**(b) Exemption from restrictions upon receipt of retirement benefits**

Service of an individual as a member of the Council authorized to be established by section 2511<sup>1</sup> of this title or 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 sections 3323(b) and 8344 of title 5, section 4064 of this title, or any other law limiting the reemployment of retired officers or employees or governing the simultaneous receipt of compensation and retired pay or annuities.

(Pub. L. 87-293, title I, §13, Sept. 22, 1961, 75 Stat. 619; Pub. L. 88-200, §6, Dec. 13, 1963, 77 Stat. 360; Pub. L. 88-448, title IV, §401(c), Aug. 19, 1964, 78 Stat. 490; Pub. L. 91-352, §6, July 24, 1970, 84 Stat. 465; Pub. L. 96-465, title II, §2202(c), Oct. 17, 1980, 94 Stat. 2158; Pub. L. 107-107, div. A, title X, §1048(i)(9), Dec. 28, 2001, 115 Stat. 1229.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning Pub. L. 87-293, Sept. 22, 1961, 75 Stat. 612, as amended, known as the Peace Corps Act. For complete classification of this Act to the Code, see Short Title note set out under section 2501 of this title and Tables.

Section 2511 of this title, referred to in subsec. (b), was repealed by Pub. L. 92-352, title IV, §403, July 13, 1972, 86 Stat. 495.

AMENDMENTS

2001—Subsec. (b). Pub. L. 107-107 struck out “, subject to section 5532 of title 5” before period at end.

1980—Subsec. (b). Pub. L. 96-465 substituted “section 4064 of this title” for “section 1112 of this title”.

1970—Subsec. (a). Pub. L. 91-352, §6(a), substituted “section 3109 of title 5” for “section 55a of title 5” and “the per diem equivalent of the highest rate payable under section 5332 of title 5” for “\$75 per diem”.

Subsec. (b). Pub. L. 91-352, §6(b), substituted “sections 3323(b) and 8344 of title 5” and “section 5532 of title 5” for “section 2263 of title 5” and “section 3102 of title 5”, respectively.

1964—Subsec. (b). Pub. L. 88-448 struck out provisions providing that such service shall not be considered as employment or holding of office or position bringing such individual within the provisions of section 59a of title 5, and inserted “, subject to section 3102 of title 5”.

1963—Subsec. (a). Pub. L. 88-200, §6(a), substituted “President” for “Peace Corps”.

Subsec. (b). Pub. L. 88-200, §6(b), struck out provisions for exemption from conflict-of-interest laws and restrictions upon receipt of compensation.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-465 effective Feb. 15, 1981, except as otherwise provided, see section 2403 of Pub. L.

<sup>1</sup> See References in Text note below.