

penses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5 while away from the home or regular place of business of the member in the performance of the duties of the Committee.

(i) **FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.**—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)¹ shall not apply to the Committee.

(j) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Veterans' Affairs and the Committee on Indian Affairs of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Natural Resources of the House of Representatives.

(2) The term “Indian tribe” has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(3) The term “Native Hawaiian organization” means any organization that—

(A) serves the interests of Native Hawaiians;

(B) has Native Hawaiians in substantive and policymaking positions within the organization;

(C) has demonstrated experience working with Native Hawaiian veterans; and

(D) shall include the Office of Hawaiian Affairs.

(4) The term “Native American veteran” has the meaning given such term in section 3765 of this title.

(5) The term “Office of Hawaiian Affairs” means the Office of Hawaiian Affairs established by the constitution of the State of Hawaii.

(6) The term “tribal organization” has the meaning given such term in section 3765 of this title.

(7) The term “urban Indian organization” has the meaning given such term in section 4 of the Indian Health Care Improvement Act (25 U.S.C. 1603).

(Added Pub. L. 116–315, title VII, §7002(a)(1), Jan. 5, 2021, 134 Stat. 5054.)

Editorial Notes

REFERENCES IN TEXT

Section 20003 of the Coronavirus Aid, Relief, and Economic Security Act, referred to in subsec. (d)(1)(B), is section 20003 of Pub. L. 116–136, div. B, title X, Mar. 27, 2020, 134 Stat. 585, which is set out as a Definition of “Public Health Emergency” note under section 303 of this title.

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (i), is section 14 of Pub. L. 92–463, which was set out in the Appendix to Title 5, Government Organization and Employees, and was repealed and restated as section 1013 of Title 5 by Pub. L. 117–286, §§3(a), 7, Dec. 27, 2022, 136 Stat. 4204, 4361.

¹ See References in Text note below.

Statutory Notes and Related Subsidiaries

DEADLINES FOR ESTABLISHMENT, INITIAL APPOINTMENTS, AND INITIAL MEETING

Pub. L. 116–315, title VII, §7002(b)–(d), Jan. 5, 2021, 134 Stat. 5057, provided that:

“(b) **DEADLINE FOR ESTABLISHMENT.**—The Secretary of Veterans Affairs shall establish the advisory committee required by section 547 of title 38, United States Code, as added by subsection (a)(1), not later than 180 days after the date of the enactment of this Act [Jan. 5, 2021].

“(c) **DEADLINE FOR INITIAL APPOINTMENTS.**—Not later than 90 days after the date on which the Secretary establishes the advisory committee required by such section, the Secretary shall appoint members under subsection (b)(1) of such section.

“(d) **INITIAL MEETING.**—Not later than 90 days after the date on which the Secretary establishes the advisory committee required by such section, such advisory committee shall hold its first meeting.”

§ 548. Advisory Committee on United States Outlying Areas and Freely Associated States

(a) **ESTABLISHMENT.**—The Secretary shall establish an advisory committee, to be known as the “Advisory Committee on United States Outlying Areas and Freely Associated States”, to provide advice and guidance to the Secretary on matters relating to covered veterans.

(b) **DUTIES.**—The duties of the Committee shall be the following:

(1) To advise the Secretary on matters relating to covered veterans, including how the Secretary may improve the programs and services of the Department to better serve such veterans.

(2) To identify for the Secretary evolving issues of relevance to covered veterans.

(3) To propose clarifications, recommendations, and solutions to address issues raised by covered veterans.

(4) To provide a forum for covered veterans, veterans service organizations serving covered veterans, and the Department to discuss issues and proposals for changes to regulations, policies, and procedures of the Department.

(5) To identify priorities for and provide advice to the Secretary on appropriate strategies for consultation with veterans service organizations serving covered veterans.

(6) To encourage the Secretary to work with the heads of other Federal departments and agencies, and Congress, to ensure covered veterans are provided the full benefits of their status as covered veterans.

(7) To highlight contributions of covered veterans in the Armed Forces.

(8) To conduct other duties as determined appropriate by the Secretary.

(c) **MEMBERSHIP.**—(1) The Committee shall be comprised of 15 voting members appointed by the Secretary.

(2) In appointing members pursuant to paragraph (1), the Secretary shall ensure the following:

(A) At least one member is appointed to represent covered veterans in each of the following areas:

(i) American Samoa.

(ii) Guam.

(iii) Puerto Rico.

(iv) The Commonwealth of the Northern Mariana Islands.

(v) The Virgin Islands of the United States.

(vi) The Federated States of Micronesia.

(vii) The Republic of the Marshall Islands.

(viii) The Republic of Palau.

(B) Not fewer than half of the members appointed are covered veterans, unless the Secretary determines that an insufficient number of qualified covered veterans are available.

(C) Each member appointed resides in an area specified in subparagraph (A).

(3) In appointing members pursuant to paragraph (1), the Secretary may consult with any Member of Congress who represents an area specified in paragraph (2)(A).

(4) In addition to the members appointed pursuant to paragraph (1), the Committee shall be comprised of such ex officio members as the Secretary of State and the Secretary of the Interior shall appoint from among employees of the Department of State and the Department of the Interior, respectively.

(d) TERMS; VACANCIES.—(1) A member of the Committee—

(A) shall be appointed for a term of two years; and

(B) may be reappointed to serve an additional two-year term.

(2) Not later than 180 days after the Secretary (or in the case of an ex officio member, the Secretary of State or the Secretary of the Interior, as the case may be) receives notice of a vacancy in the Committee, the vacancy shall be filled in the same manner as the original appointment.

(e) MEETING FORMAT AND FREQUENCY.—(1) Except as provided in paragraph (2), the Committee shall meet in-person with the Secretary not less frequently than once each year and hold monthly conference calls as necessary.

(2) Meetings held under paragraph (1) may be conducted virtually if determined necessary based on—

(A) Department protocols; and

(B) timing and budget considerations.

(f) ADDITIONAL REPRESENTATION.—(1) Representatives of relevant Federal departments and agencies may attend meetings of the Committee and provide information to the Committee.

(2) One representative of the Department shall attend each meeting of the Committee.

(3) Representatives attending meetings under this subsection—

(A) may not be considered voting members of the Committee; and

(B) may not receive additional compensation for services performed with respect to the Committee.

(g) SUBCOMMITTEES.—(1) The Committee may establish subcommittees.

(2) The Secretary may, in consultation with the Committee, appoint a member to a subcommittee established under paragraph (1) who is not a member of the Committee.

(3) A subcommittee established under paragraph (1) may enhance the function of the Com-

mittee, but may not supersede the authority of the Committee or provide direct advice or work products to the Secretary.

(h) REPORTS.—(1) Not less frequently than once every two years, the Committee shall submit to the Secretary and the appropriate congressional committees a report—

(A) containing such recommendations as the Committee may have for legislative or administrative action; and

(B) describing the activities of the Committee during the previous two years.

(2) Not later than 120 days after the date on which the Secretary receives a report under paragraph (1), the Secretary shall submit to the appropriate congressional committees a written response to the report after—

(A) giving the Committee an opportunity to review such written response; and

(B) including in such written response any comments the Committee considers appropriate.

(3) The Secretary shall make publicly available on an internet website of the Department—

(A) each report the Secretary receives under paragraph (1); and

(B) each written response the Secretary submits under paragraph (2).

(i) COMMITTEE PERSONNEL MATTERS.—A member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5 while away from the home or regular place of business of the member in the performance of the duties of the Committee.

(j) CONSULTATION.—In carrying out this section, the Secretary shall consult with veterans service organizations serving covered veterans.

(k) TERMINATION.—The Committee shall terminate on the date that is 10 years after the date of the enactment of this section.

(l) DEFINITIONS.—In this section:

(1) The term “appropriate congressional committees” means—

(A) the Committee on Veterans' Affairs of the House of Representatives; and

(B) the Committee on Veterans' Affairs of the Senate.

(2) The term “Committee” means the Advisory Committee on United States Outlying Areas and Freely Associated States established under subsection (a).

(3) The term “covered veteran” means a veteran residing in an area specified in subsection (c)(2)(A).

(4) The term “veterans service organization serving covered veterans” means any organization that—

(A) serves the interests of covered veterans;

(B) has covered veterans in substantive and policymaking positions within the organization; and

(C) has demonstrated experience working with covered veterans.

(Added Pub. L. 117-263, div. E, title LI, § 5102(a), Dec. 23, 2022, 136 Stat. 3205.)

Statutory Notes and Related Subsidiaries**DEADLINES FOR ESTABLISHMENT, INITIAL APPOINTMENTS, AND INITIAL MEETING**

Pub. L. 117-263, div. E, title LI, §5102(b)-(d), Dec. 23, 2022, 136 Stat. 3208, provided that:

“(b) **DEADLINE FOR ESTABLISHMENT.**—Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2022], the Secretary of Veterans Affairs shall establish the advisory committee required by section 548 of title 38, United States Code, as added by subsection (a) of this section.

“(c) **DEADLINE FOR INITIAL APPOINTMENTS.**—Not later than 90 days after the date on which the Secretary establishes the advisory committee required by such section 548, the members of such advisory committee shall be appointed.

“(d) **INITIAL MEETING.**—Not later than 180 days after the date on which the Secretary establishes the advisory committee required by such section 548, such advisory committee shall hold its first meeting.”

CHAPTER 7—EMPLOYEES**SUBCHAPTER I—GENERAL EMPLOYEE MATTERS**

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| Sec.
701. | Placement of employees in military installations. |
| 703. | Miscellaneous authorities respecting employees. |
| 704. | Waiver of pay limitation for certain employees. |
| 705. | Telephone service for medical officers and facility directors. |
| 706. | Additional authority relating to recruitment and retention of personnel. |
| 707. | Benefits for employees at overseas offices who are United States citizens. |
| 709. | Employment restrictions. |
| 711. | Grade reductions. |
| [712. | Repealed.] |
| 713. | Senior executives: removal, demotion, or suspension based on performance or misconduct. |
| 714. | Employees: removal, demotion, or suspension based on performance or misconduct. |
| 715. | Congressional testimony by employees: treatment as official duty. |
| 717. | Limitation on administrative leave. |
| 719. | Reduction of benefits of employees convicted of certain crimes. |
| 721. | Recoupment of bonuses or awards paid to employees of Department. |
| 723. | Recoupment of relocation expenses paid on behalf of employees of Department. |
| 725. | Annual performance plan for political appointees. |
| 726. | Annual report on performance awards and bonuses awarded to certain high-level employees. |
| 727. | Reassignment of senior executives. |
| 728. | Misuse of Department purchase cards. |

SUBCHAPTER II—WHISTLEBLOWER COMPLAINTS

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| 731. | Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints. |
| 732. | Protection of whistleblowers as criteria in evaluation of supervisors. |
| 733. | Training regarding whistleblower disclosures. [734 to 736. Repealed.] |

SUBCHAPTER III—EXECUTIVE MANAGEMENT FELLOWSHIP PROGRAM

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| 741. | Executive Management Fellowship Program. |
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Editorial Notes**AMENDMENTS**

2022—Pub. L. 117-168, §1(b)(2), title IX, §§907, 909, Aug. 10, 2022, 136 Stat. 1759, 1813, 1815, added items 704 and 706.

2018—Pub. L. 115-407, title V, §501(b), Dec. 31, 2018, 132 Stat. 5376, which directed adding item 728 after item 727 to reflect the probable intent of Congress.

Pub. L. 115-188, §2(b), June 21, 2018, 132 Stat. 1491, which directed adding item 727 after item 726 to reflect the probable intent of Congress.

Pub. L. 115-182, title V, §501(b), June 6, 2018, 132 Stat. 1475, added item 726.

2017—Pub. L. 115-46, title II, §§202(c), 203(b), Aug. 12, 2017, 131 Stat. 962, added item 725 and added item for subchapter III and item 741.

Pub. L. 115-41, title I, §102(b), title II, §§201(c), 202(b)(1), 203(a)(2), 204(b), 205(b), June 23, 2017, 131 Stat. 867, 869, 873, 875-877, substituted “removal, demotion, or suspension” for “removal” in item 713, added items 714, 719, 721, 723, and 731 to 733, and struck out former items 731 “Whistleblower complaint defined”, 732 “Treatment of whistleblower complaints”, and 733 “Adverse actions against supervisory employees who commit prohibited personnel actions relating to whistleblower complaints”, and items 734 “Evaluation criteria of supervisors and treatment of bonuses”, 735 “Training regarding whistleblower complaints”, and 736 “Reports to Congress”.

2016—Pub. L. 114-315, title V, §503(a)(2), Dec. 16, 2016, 130 Stat. 1568, added item 717.

Pub. L. 114-223, div. A, title II, §247(a)(2)(B), (b)(2), Sept. 29, 2016, 130 Stat. 890, 891, added item for subchapter I, added item 715, and added item for subchapter II and items 731 to 736.

2014—Pub. L. 113-146, title VII, §707(a)(2), Aug. 7, 2014, 128 Stat. 1800, added item 713.

2001—Pub. L. 107-103, title V, §509(a)(2), Dec. 27, 2001, 115 Stat. 997, struck out item 712 “Full-time equivalent positions: limitation on reduction”.

1994—Pub. L. 103-446, title XI, §1102(b), Nov. 2, 1994, 108 Stat. 4681, added item 712.

SUBCHAPTER I—GENERAL EMPLOYEE MATTERS**Editorial Notes****AMENDMENTS**

2016—Pub. L. 114-223, div. A, title II, §247(a)(2)(A), Sept. 29, 2016, 130 Stat. 890, inserted subchapter heading.

§ 701. Placement of employees in military installations

The Secretary may place employees of the Department in such Army, Navy, Air Force, and Space Force installations as may be considered advisable for the purpose of adjudicating disability claims of, and giving aid and advice to, members of the Armed Forces who are about to be discharged or released from active military, naval, air, or space service.

(Added Pub. L. 102-83, §2(a), Aug. 6, 1991, 105 Stat. 394; amended Pub. L. 116-283, div. A, title IX, §926(a)(4), (c), Jan. 1, 2021, 134 Stat. 3830, 3831.)

Editorial Notes**PRIOR PROVISIONS**

Prior sections 701 and 702 were renumbered sections 1901 and 1902 of this title, respectively.

Provisions similar to those in this section were contained in section 231 of this title prior to repeal by Pub. L. 102-83, §2(a).

AMENDMENTS

2021—Pub. L. 116-283 substituted “Air Force, and Space Force” for “and Air Force” and “air, or space service” for “or air service”.