

be final and conclusive and shall not be subject to review by any court.

(k) Subsequently enacted laws

No law enacted after the effective date of this section shall affect the authorities and provisions of this section unless such law specifically refers to this section.

(June 20, 1949, ch. 227, §23, as added Pub. L. 108-487, title IV, §402, Dec. 23, 2004, 118 Stat. 3946.)

REFERENCES IN TEXT

The effective date of this section, referred to in subsec. (k), is the date of enactment of Pub. L. 108-487, which was approved December 23, 2004. See section 801 of Pub. L. 108-487, set out as an Effective Date of 2004 Amendments note under section 2656f of Title 22, Foreign Relations and Intercourse.

CODIFICATION

Section was formerly classified to section 403w of this title prior to editorial reclassification and renumbering as this section.

CHAPTER 47—NATIONAL SECURITY AGENCY

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3618.	Collection of service charges for certification or validation of information assurance products.

§ 3601. Short title

This chapter may be cited as the "National Security Agency Act of 1959".

(Pub. L. 86-36, §1, as added Pub. L. 96-450, title IV, §402(a)(2), Oct. 14, 1980, 94 Stat. 1978.)

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

PRIOR PROVISIONS

A prior section 1 of Pub. L. 86-36, May 29, 1959, 73 Stat. 63, amended section 1082 of former Title 5, Executive Departments and Government Officers and Employees, prior to repeal by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 660.

§ 3602. Director of Compliance

There is a Director of Compliance of the National Security Agency, who shall be appointed

by the Director of the National Security Agency and who shall be responsible for the programs of compliance over mission activities of the National Security Agency.

(Pub. L. 86-36, §2, as added Pub. L. 111-259, title IV, §433, Oct. 7, 2010, 124 Stat. 2732.)

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

PRIOR PROVISIONS

A prior section 2 of Pub. L. 86-36, May 29, 1959, 73 Stat. 63; Pub. L. 87-367, title II, §201, Oct. 4, 1961, 75 Stat. 789; Sept. 23, 1950, ch. 1024, title III, §306(a), as added Pub. L. 88-290, Mar. 26, 1964, 78 Stat. 170; Pub. L. 88-426, title III, §306(h), Aug. 14, 1964, 78 Stat. 430; Pub. L. 88-631, §3(d), Oct. 6, 1964, 78 Stat. 1008; Pub. L. 89-632, §1(e)(1), Oct. 8, 1966, 80 Stat. 878; Pub. L. 102-496, title IV, §405, Oct. 24, 1992, 106 Stat. 3186, related to authority of Secretary of Defense to establish positions and fix compensation, prior to repeal by Pub. L. 104-201, div. A, title XVI, §§1633(b)(1), 1635, Sept. 23, 1996, 110 Stat. 2751, 2752, effective Oct. 1, 1996.

§ 3603. Repealed. Pub. L. 104-201, div. A, title XVI, § 1633(b)(1), Sept. 23, 1996, 110 Stat. 2751

Section, Pub. L. 86-36, §4, May 29, 1959, 73 Stat. 63; Pub. L. 87-367, title II, §204, Oct. 4, 1961, 75 Stat. 791; Pub. L. 87-793, §1001(c), Oct. 11, 1962, 76 Stat. 864; Pub. L. 89-632, §1(e)(2), Oct. 8, 1966, 80 Stat. 878; Pub. L. 91-187, §2, Dec. 30, 1969, 83 Stat. 850, authorized establishment of civilian positions in research, development, science, medicine, and cryptology.

CODIFICATION

Section was formerly classified in a note under section 402 of this title and repealed prior to editorial reclassification as this section.

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1996, see section 1635 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 1593 of Title 10, Armed Forces.

§ 3604. Additional compensation

Officers and employees of the National Security Agency who are citizens or nationals of the United States may be granted additional compensation, in accordance with regulations which shall be prescribed by the Secretary of Defense, not in excess of additional compensation authorized by section 5941 of title 5, for employees whose rates of basic compensation are fixed by statute.

(Pub. L. 86-36, §5, May 29, 1959, 73 Stat. 63.)

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

In text, "section 5941 of title 5" substituted for "section 207 of the Independent Offices Appropriation Act, 1949, as amended (5 U.S.C. 118h)" on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631. Section 1 of Pub. L. 89-554 enacted Title 5, Government Organization and Employees.

EFFECTIVE DATE

Pub. L. 86-36, §8, May 29, 1959, 73 Stat. 64, provided that: "The foregoing provisions of this Act [see Tables for classification] shall take effect on the first day of the first pay period which begins later than the thirti-

eth day following the date of enactment of this Act [May 29, 1959].”

§ 3605. Disclosure of Agency’s organization, function, activities, or personnel

(a) Except as provided in subsection (b) of this section, nothing in this chapter or any other law (including, but not limited to, the first section and section 2 of the Act of August 28, 1935)¹ shall be construed to require the disclosure of the organization or any function of the National Security Agency, or any information with respect to the activities thereof, or of the names, titles, salaries, or number of the persons employed by such agency.

(b) The reporting requirements of section 1582 of title 10¹ shall apply to positions established in the National Security Agency in the manner provided by section 3603¹ of this title.

(Pub. L. 86–36, § 6, May 29, 1959, 73 Stat. 64.)

REFERENCES IN TEXT

The first section and section 2 of the Act of August 28, 1935, referred to in subsec. (a), are sections 1 and 2 of act Aug. 28, 1935, ch. 795, 49 Stat. 956, 957, which were classified to section 654 of former Title 5, Executive Departments and Government Officers and Employees, prior to repeal by Pub. L. 86–626, title I, § 101, July 12, 1960, 74 Stat. 427.

Section 1582 of title 10, referred to in subsec. (b), was repealed by Pub. L. 97–295, § 1(19)(A), Oct. 12, 1982, 96 Stat. 1290, and a new section 1582, relating to assistive technology, was subsequently added by Pub. L. 106–398, § 1 [div. A], title XI, § 1102(a), Oct. 30, 2000, 114 Stat. 1654, 1654A–311.

Section 3603, referred to in subsec. (b), was repealed by Pub. L. 104–201, div. A, title XVI, § 1633(b)(1), Sept. 23, 1996, 110 Stat. 2751.

CODIFICATION

Section was formerly classified in a note under section 402 of this title prior to editorial reclassification as this section.

EFFECTIVE DATE

Section effective on the first day of the first pay period which begins later than the thirtieth day following May 29, 1959, see section 8 of Pub. L. 86–36, set out as a note under section 3604 of this title.

§ 3606. Repealed. Pub. L. 89–554, § 8(a), Sept. 6, 1966, 80 Stat. 660

Section, Pub. L. 86–36, § 7, May 29, 1959, 73 Stat. 64, related to reduction in number of positions in certain grades authorized by section 1105(b) of former Title 5, Executive Departments and Government Officers and Employees, by the number of positions in such grades allocated to the National Security Agency on effective date of section.

CODIFICATION

Section was formerly classified in a note under section 402 of this title and repealed prior to editorial reclassification as this section.

§ 3607. Support for activities and personnel outside the United States

(a) Leasing of real property

Notwithstanding section 322 of the Act of June 30, 1932, section 5536 of title 5, and section 2675 of title 10, the Director of the National Security

Agency, on behalf of the Secretary of Defense, may lease real property outside the United States, for periods not exceeding ten years, for the use of the National Security Agency for special cryptologic activities and for housing for personnel assigned to such activities.

(b) Allowances and benefits, housing, and retirement accrual

The Director of the National Security Agency, on behalf of the Secretary of Defense, may provide to certain civilian and military personnel of the Department of Defense who are assigned to special cryptologic activities outside the United States and who are designated by the Secretary of Defense for the purposes of this subsection—

(1) allowances and benefits—

(A) comparable to those provided by the Secretary of State to members of the Foreign Service under chapter 9 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4081 et seq.) or any other provision of law; and

(B) in the case of selected personnel serving in circumstances similar to those in which personnel of the Central Intelligence Agency serve, comparable to those provided by the Director of Central Intelligence to personnel of the Central Intelligence Agency;

(2) housing (including heat, light, and household equipment) without cost to such personnel, if the Director of the National Security Agency, on behalf of the Secretary of Defense determines that it would be in the public interest to provide such housing; and

(3) special retirement accrual in the same manner provided in section 2153 of this title and in section 3518 of this title.

(c) Authority subject to availability of appropriated funds

The authority of the Director of the National Security Agency, on behalf of the Secretary of Defense, to make payments under subsections (a) and (b), and under contracts for leases entered into under subsection (a), is effective for any fiscal year only to the extent that appropriated funds are available for such purpose.

(d) Members of Armed Forces

Members of the Armed Forces may not receive benefits under both subsection (b)(1) and title 37 for the same purpose. The Secretary of Defense shall prescribe such regulations as may be necessary to carry out this subsection.

(e) Regulations

Regulations issued pursuant to subsection (b)(1) shall be submitted to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate before such regulations take effect.

(Pub. L. 86–36, § 9, as added Pub. L. 96–450, title IV, § 402(a)(1), Oct. 14, 1980, 94 Stat. 1977; amended Pub. L. 97–89, title VI, § 601, Dec. 4, 1981, 95 Stat. 1154; Pub. L. 99–335, title V, § 507(a), June 6, 1986, 100 Stat. 628; Pub. L. 101–193, title V, § 505(b), Nov. 30, 1989, 103 Stat. 1709; Pub. L. 102–496, title VIII, § 803(b), Oct. 24, 1992, 106 Stat. 3253.)

¹ See References in Text note below.