

PRIOR PROVISIONS

A prior section 8 of act June 20, 1949, was renumbered section 7 and is classified to section 3508 of this title.

§ 3510a. Availability of appropriations for construction projects

During the current fiscal year and thereafter, funds appropriated for construction projects of the Central Intelligence Agency, which are transferred to another Agency for execution, shall remain available until expended.

(Pub. L. 103-139, title VIII, §8104, Nov. 11, 1993, 107 Stat. 1463.)

CODIFICATION

Section was formerly classified as a note under section 403j of this title prior to editorial reclassification as this section.

Section was enacted as part of the Department of Defense Appropriations Act, 1994, and not as part of the Central Intelligence Agency Act of 1949 which comprises this chapter.

PRIOR PROVISIONS

Provisions similar to those in this section were contained in the following prior appropriation acts:

Pub. L. 102-396, title IX, §9030, Oct. 6, 1992, 106 Stat. 1907.

Pub. L. 102-172, title VIII, §8030, Nov. 26, 1991, 105 Stat. 1177.

Pub. L. 101-511, title VIII, §8031, Nov. 5, 1990, 104 Stat. 1881.

Pub. L. 101-165, title IX, §9042, Nov. 21, 1989, 103 Stat. 1137.

Pub. L. 100-463, title VIII, §8074, Oct. 1, 1988, 102 Stat. 2270-29.

Pub. L. 100-202, §101(b) [title VIII, §8095], Dec. 22, 1987, 101 Stat. 1329-43, 1329-79.

Pub. L. 99-500, §101(c) [title IX, §9130], Oct. 18, 1986, 100 Stat. 1783-82, 1783-128; Pub. L. 99-591, §101(c) [title IX, §9130], Oct. 30, 1986, 100 Stat. 3341-82, 3341-128.

§ 3510b. Acquisition of critical skills

Pursuant to the authority granted in section 3510 of this title, the Director of Central Intelligence shall establish an undergraduate training program with respect to civilian employees of the Central Intelligence Agency similar in purpose, conditions, content, and administration to the program which the Secretary of Defense is authorized to establish under section 3614 of this title for civilian employees of the National Security Agency.

(Pub. L. 99-569, title V, §506, Oct. 27, 1986, 100 Stat. 3202.)

CODIFICATION

Section was formerly classified as a note under section 403j of this title prior to editorial reclassification as this section.

Section was enacted as part of the Intelligence Authorization Act for Fiscal Year 1987, and not as part of the Central Intelligence Agency Act of 1949 which comprises this chapter.

CHANGE OF NAME

Reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the intelligence community deemed to be a reference to the Director of National Intelligence, and reference to the Director of Central Intelligence or the Director of the Central Intelligence Agency in the Director's capacity as the head of the Central Intelligence Agency deemed to be

a reference to the Director of the Central Intelligence Agency, see section 1081(a), (b) of Pub. L. 108-458, set out as a note under section 3001 of this title.

§ 3511. Authority to pay death gratuities

(a)(1) The Director may pay a gratuity to the surviving dependents of any officer or employee of the Agency who dies as a result of injuries (other than from disease) sustained outside the United States and whose death—

(A) resulted from hostile or terrorist activities; or

(B) occurred in connection with an intelligence activity having a substantial element of risk.

(2) The provisions of this subsection shall apply with respect to deaths occurring after June 30, 1974.

(b) Any payment under subsection (a) of this section—

(1) shall be in an amount equal to the amount of the annual salary of the officer or employee concerned at the time of death;

(2) shall be considered a gift and shall be in lieu of payment of any lesser death gratuity authorized by any other Federal law; and

(3) shall be made under the same conditions as apply to payments authorized by section 3973 of title 22.

(June 20, 1949, ch. 227, §11, as added Pub. L. 96-450, title IV, §403(a), Oct. 14, 1980, 94 Stat. 1978.)

CODIFICATION

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

In subsec. (b)(3), "section 3973 of title 22" substituted for "section 14 of the Act of August 1, 1956 (22 U.S.C. 2679a)" on authority of section 2401(c) of the Foreign Service Act of 1980 (22 U.S.C. 4172(c)), section 2205(10) of which repealed section 14 of the 1956 Act (22 U.S.C. 2679a).

§ 3512. Gifts, devises, and bequests

(a) Use for operational purposes prohibited

(1) Subject to the provisions of this section, the Director may accept, hold, administer, and use gifts of money, securities, or other property whenever the Director determines it would be in the interest of the United States to do so.

(2) Any gift accepted by the Director as a gift to the Agency under this subsection (and any income produced by any such gift)—

(A) may be used only for—¹

(i) artistic display;

(ii) purposes relating to the general welfare, education, or recreation of employees or dependents of employees of the Agency or for similar purposes; or

(iii) purposes relating to the welfare, education, or recreation of an individual described in paragraph (3); and

(B) under no circumstances may such a gift (or any income produced by any such gift) be used for operational purposes.

(3) An individual described in this paragraph is an individual who—

¹ So in original. The quotation marks probably should not appear.

(A) is an employee or a former employee of the Agency who suffered injury or illness while employed by the Agency that—

- (i) resulted from hostile or terrorist activities;
- (ii) occurred in connection with an intelligence activity having a significant element of risk; or
- (iii) occurred under other circumstances determined by the Director to be analogous to the circumstances described in clause (i) or (ii);

(B) is a family member of such an employee or former employee; or

(C) is a surviving family member of an employee of the Agency who died in circumstances described in clause (i), (ii), or (iii) of subparagraph (A).

(4) The Director may not accept any gift under this section that is expressly conditioned upon any expenditure not to be met from the gift itself or from income produced by the gift unless such expenditure has been authorized by law.

(5) The Director may, in the Director's discretion, determine that an individual described in subparagraph (A) or (B) of paragraph (3) may accept a gift for the purposes described in paragraph (2)(A)(iii).

(b) Sale, exchange and investment of gifts

Unless otherwise restricted by the terms of the gift, the Director may sell or exchange, or invest or reinvest, any property which is accepted under subsection (a), but any such investment may only be in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States.

(c) Deposit of gifts into special fund

There is hereby created on the books of the Treasury of the United States a fund into which gifts of money, securities, and other intangible property accepted under the authority of subsection (a), and the earnings and proceeds thereof, shall be deposited. The assets of such fund shall be disbursed upon the order of the Director for the purposes specified in subsection (a) or (b) of this section.

(d) Taxation of gifts

For purposes of Federal income, estate, and gift taxes, gifts accepted by the Director under subsection (a) shall be considered to be to or for the use of the United States.

(e) "Gift" defined

For the purposes of this section, the term "gift" includes a bequest or devise.

(f) Fundraising

(1) The Director may engage in fundraising in an official capacity for the benefit of nonprofit organizations that provide support to surviving family members of deceased Agency employees or that otherwise provide support for the welfare, education, or recreation of Agency employees, former Agency employees, or their family members.

(2) In this subsection, the term "fundraising" means the raising of funds through the active participation in the promotion, production, or

presentation of an event designed to raise funds and does not include the direct solicitation of money by any other means.

(g) Regulations

The Director, in consultation with the Director of the Office of Government Ethics, shall issue regulations to carry out the authority provided in this section. Such regulations shall ensure that such authority is exercised consistent with all relevant ethical constraints and principles, including—

- (1) the avoidance of any prohibited conflict of interest or appearance of impropriety; and
- (2) a prohibition against the acceptance of a gift from a foreign government or an agent of a foreign government.

(June 20, 1949, ch. 227, §12, as added Pub. L. 96-450, title IV, §404, Oct. 14, 1980, 94 Stat. 1979; amended Pub. L. 112-87, title IV, §411, Jan. 3, 2012, 125 Stat. 1889; Pub. L. 113-126, title IV, §421, July 7, 2014, 128 Stat. 1410.)

CODIFICATION

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

AMENDMENTS

2014—Pub. L. 113-126, §421(1), substituted "Gifts, devises, and bequests" for "Authority to accept gifts, devises, and bequests" in section catchline.

Subsec. (a)(2). Pub. L. 113-126, §421(2), in introductory provisions, inserted "by the Director as a gift to the Agency" after "accepted" and substituted "this subsection" for "this section".

Subsecs. (b), (c). Pub. L. 113-126, §421(3), (4), substituted "subsection (a)," for "this section."

Subsec. (d). Pub. L. 113-126, §421(5), substituted "subsection (a)" for "this section".

Subsecs. (f), (g). Pub. L. 113-126, §421(6), (7), added subsec. (f) and redesignated former subsec. (f) as (g).

2012—Subsec. (a). Pub. L. 112-87, §411(1), designated existing provisions as par. (1), struck out "Any gift accepted under this section (and any income produced by any such gift) may be used only for artistic display or for purposes relating to the general welfare, education, or recreation of employees or dependents of employees of the Agency or for similar purposes, and under no circumstances may such a gift (or any income produced by any such gift) be used for operational purposes. The Director may not accept this gift under this section which is expressly conditioned upon any expenditure not to be met from the gift itself or from income produced by the gift unless such expenditure has been authorized by law." at end, and added pars. (2) to (5).

Subsec. (f). Pub. L. 112-87, §411(2), added subsec. (f).

§ 3513. Misuse of Agency name, initials, or seal

(a) Prohibited acts

No person may, except with the written permission of the Director, knowingly use the words "Central Intelligence Agency", the initials "CIA", the seal of the Central Intelligence Agency, or any colorable imitation of such words, initials, or seal in connection with any merchandise, impersonation, solicitation, or commercial activity in a manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the Central Intelligence Agency.

(b) Injunction

Whenever it appears to the Attorney General that any person is engaged or is about to engage