

a compensation reform plan for Central Intelligence Agency employees, required the Director of Central Intelligence to conduct a pilot project to test the efficacy and fairness of the plan and to submit a report on the project to the congressional intelligence committees, and expressed the sense of Congress that the Director of the National Security Agency should delay implementation of a compensation reform plan for National Security Agency employees and that an employee performance evaluation mechanism should be phased in before implementation of any new compensation plan at either Agency.

CLARIFICATION OF TERMS APPLIED TO FURNITURE, HOUSEHOLD GOODS, AND PERSONAL EFFECTS IN 1960 AMENDMENT

Pub. L. 86-707, title III, §301(d), Sept. 6, 1960, 74 Stat. 796, provided that: "The term 'furniture and household and personal effects', as used in the amendments made by this part to the Foreign Service Act of 1946, as amended [amending section 1136 of Title 22, Foreign Relations and Intercourse], and the Central Intelligence Agency Act of 1949, as amended [amending this section], and the term 'household goods and personal effects', as used in the amendments made by this part to the Administrative Expenses Act of 1946, as amended [amending section 73b-1 of former Title 5, Executive Departments and Government Officers and Employees], mean such personal property of an employee and the dependents of such employee as the Secretary of State and the Director of Central Intelligence, as the case may be, with respect to the term 'furniture and household and personal effects', and the President, with respect to the term 'household goods and personal effects', shall by regulation authorize to be transported or stored under the amendments made by this part to such Acts (including, in emergencies, motor vehicles authorized to be shipped at Government expense). Such motor vehicle shall be excluded from the weight and volume limitations prescribed by the laws set forth in this part."

[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. 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.]

Pub. L. 86-707, title III, §301(d), Sept. 6, 1960, 74 Stat. 796, was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 661, insofar as it is applicable to the Administrative Expenses Act of 1946, as amended.

EXECUTIVE ORDER NO. 10100

Ex. Ord. No. 10100, Jan. 28, 1950, 15 F.R. 499, which provided for regulations governing the granting of allowances by the Director of the Central Intelligence Agency under this section, was revoked by section 5(a) of Ex. Ord. No. 10903, Jan. 9, 1961, 26 F.R. 217, set out under section 5921 of Title 5, Government Organization and Employees.

**§ 3506. General authorities**

**(a) In general**

In the performance of its functions, the Central Intelligence Agency is authorized to—

- (1) Transfer to and receive from other Government agencies such sums as may be approved by the Office of Management and Budget, for the performance of any of the functions or activities authorized under section 3036 of this title,<sup>1</sup> and any other Government agency

is authorized to transfer to or receive from the Agency such sums without regard to any provisions of law limiting or prohibiting transfers between appropriations. Sums transferred to the Agency in accordance with this paragraph may be expended for the purposes and under the authority of this chapter without regard to limitations of appropriations from which transferred;

(2) Exchange funds without regard to section 3651 of the Revised Statutes;

(3) Reimburse other Government agencies for services of personnel assigned to the Agency, and such other Government agencies are authorized, without regard to provisions of law to the contrary, so to assign or detail any officer or employee for duty with the Agency;

(4) Authorize personnel designated by the Director to carry firearms to the extent necessary for the performance of the Agency's authorized functions, except that, within the United States, such authority shall be limited to the purposes of protection of classified materials and information, the training of Agency personnel and other authorized persons in the use of firearms, the protection of Agency installations and property, the protection of current and former Agency personnel and their immediate families, defectors and their immediate families, and other persons in the United States under Agency auspices, and the protection of the Director of National Intelligence and such personnel of the Office of the Director of National Intelligence as the Director of National Intelligence may designate;

(5) Make alterations, improvements, and repairs on premises rented by the Agency, and pay rent therefor;

(6) Determine and fix the minimum and maximum limits of age within which an original appointment may be made to an operational position within the Agency, notwithstanding the provision of any other law, in accordance with such criteria as the Director, in his discretion, may prescribe; and

(7) Notwithstanding section 1341(a)(1) of title 31, enter into multiyear leases for up to 15 years.

**(b) Scope of authority for expenditure**

(1) The authority to enter into a multiyear lease under subsection (a)(7) of this section shall be subject to appropriations provided in advance for—

(A) the entire lease; or

(B) the first 12 months of the lease and the Government's estimated termination liability.

(2) In the case of any such lease entered into under subparagraph (B) of paragraph (1)—

(A) such lease shall include a clause that provides that the contract shall be terminated if budget authority (as defined by section 622(2) of title 2) is not provided specifically for that project in an appropriations Act in advance of an obligation of funds in respect thereto;

(B) notwithstanding section 1552 of title 31, amounts obligated for paying termination costs with respect to such lease shall remain available until the costs associated with termination of such lease are paid;

<sup>1</sup> So in original. The period probably should not appear.

(C) funds available for termination liability shall remain available to satisfy rental obligations with respect to such lease in subsequent fiscal years in the event such lease is not terminated early, but only to the extent those funds are in excess of the amount of termination liability at the time of their use to satisfy such rental obligations; and

(D) funds appropriated for a fiscal year may be used to make payments on such lease, for a maximum of 12 months, beginning any time during such fiscal year.

### (c) Transfers for acquisition of land

(1) Sums appropriated or otherwise made available to the Agency for the acquisition of land that are transferred to another department or agency for that purpose shall remain available for 3 years.

(2) The Director shall submit to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a report on the transfer of sums described in paragraph (1) each time that authority is exercised.

(June 20, 1949, ch. 227, § 5, formerly § 6, 63 Stat. 211; June 26, 1951, ch. 151, 65 Stat. 89; renumbered § 5, Pub. L. 85-507, § 21(b)(2), July 7, 1958, 72 Stat. 337; amended Pub. L. 88-448, title IV, § 402(a)(28), Aug. 19, 1964, 78 Stat. 494; Pub. L. 97-89, title V, § 502, Dec. 4, 1981, 95 Stat. 1153; Pub. L. 98-215, title IV, § 401, Dec. 9, 1983, 97 Stat. 1477; Pub. L. 103-178, title V, § 501(1), Dec. 3, 1993, 107 Stat. 2038; Pub. L. 105-107, title IV, § 401(a), Nov. 20, 1997, 111 Stat. 2257; Pub. L. 105-272, title IV, §§ 401, 403(a)(1), Oct. 20, 1998, 112 Stat. 2403, 2404; Pub. L. 106-567, title IV, § 405(a), (b), Dec. 27, 2000, 114 Stat. 2849; Pub. L. 107-306, title VIII, § 841(c), Nov. 27, 2002, 116 Stat. 2431; Pub. L. 108-177, title III, § 377(b)(1), Dec. 13, 2003, 117 Stat. 2630; Pub. L. 111-259, title IV, § 421, title VIII, § 802(1), Oct. 7, 2010, 124 Stat. 2727, 2746.)

#### REFERENCES IN TEXT

Section 3651 of the Revised Statutes, referred to in subsec. (a)(2), was classified to section 543 of former Title 31, and was repealed by Pub. L. 97-258, § 5(b), Sept. 13, 1982, 96 Stat. 1084, the first section of which enacted Title 31, Money and Finance.

#### CODIFICATION

Section was formerly classified to section 403f of this title prior to editorial reclassification and renumbering as this section. Some section numbers of this title referenced in amendment notes below reflect the classification of such sections prior to their editorial reclassification.

#### PRIOR PROVISIONS

A prior section 5 of act June 20, 1949, was renumbered section 4 and is classified to section 3505 of this title.

#### AMENDMENTS

2010—Subsec. (a)(1). Pub. L. 111-259, § 802(1), substituted “authorized under section 403-4a of this title.” for “authorized under paragraphs (2) and (3) of section 403(a) of this title, subsections (c)(7) and (d) of section 403-3 of this title, subsections (a) and (g) of section 403-4 of this title, and section 405 of this title”.

Subsec. (a)(4). Pub. L. 111-259, § 421, substituted “the protection of current” for “and the protection of current” and inserted “, and the protection of the Director of National Intelligence and such personnel of the

Office of the Director of National Intelligence as the Director of National Intelligence may designate” before the semicolon.

2003—Subsec. (a)(1). Pub. L. 108-177 substituted “(c)(7)” for “(c)(6)”.

2002—Subsec. (c)(2). Pub. L. 107-306 substituted “a report on the transfer of sums described in paragraph (1) each time that authority is exercised.” for “an annual report on the transfers of sums described in paragraph (1).”

2000—Pub. L. 106-567 added subsec. (a) and (b) headings and subsec. (c).

1998—Subsec. (a)(1). Pub. L. 105-272, § 403(a)(1), substituted “paragraphs (2) and (3) of section 403(a)” for “subparagraphs (B) and (C) of section 403(a)(2)” and “(c)(6)” for “(c)(5)” and made technical amendments to references in original act which appear in text as references to sections 403, 403-3, 403-4 of this title.

Subsec. (a)(4). Pub. L. 105-272, § 401, substituted “and the protection of current and former Agency personnel and their immediate families, defectors and their immediate families,” for “and the protection of Agency personnel and of defectors, their families,”.

1997—Pub. L. 105-107 designated existing provisions as subsec. (a), redesignated former subsecs. (a) to (f) as pars. (1) to (6), respectively, of subsec. (a), in par. (5) substituted semicolon for “without regard to limitations on expenditures contained in the Act of June 30, 1932, as amended: *Provided*, That in each case the Director shall certify that exception from such limitations is necessary to the successful performance of the Agency’s functions or to the security of its activities; and”, and added par. (7) and subsec. (b).

1993—Subsec. (a). Pub. L. 103-178 substituted “Office of Management and Budget” for “Bureau of the Budget” and “subparagraphs (B) and (C) of section 403(a)(2) of this title, subsections (c)(5) and (d) of section 403-3 of this title, subsections (a) and (g) of section 403-4 of this title, and section 405 of this title” for “sections 403 and 405 of this title”.

1983—Subsec. (f). Pub. L. 98-215 added subsec. (f).

1981—Subsec. (d). Pub. L. 97-89 substituted “Authorize personnel designated by the Director to carry firearms to the extent necessary for the performance of the Agency’s authorized functions, except that, within the United States, such authority shall be limited to the purposes of protection of classified materials and information, the training of Agency personnel and other authorized persons in the use of firearms, the protection of Agency installations and property, and the protection of Agency personnel and of defectors, their families, and other persons in the United States under Agency auspices; and” for “Authorize couriers and guards designated by the Director to carry firearms when engaged in transportation of confidential documents and materials affecting the national defense and security;”.

1964—Subsec. (f). Pub. L. 88-448 repealed subsec. (f) which authorized employment of not more than fifteen retired officers who must elect between civilian salary and retired pay. See section 3101 et seq. of Title 5, Government Organization and Employees.

1951—Subsec. (f). Act June 26, 1951, added subsec. (f).

#### EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-567, title IV, § 405(c), Dec. 27, 2000, 114 Stat. 2849, provided that: “Subsection (c) of section 5 of the Central Intelligence Agency Act of 1949 [50 U.S.C. 3506(c)], as added by subsection (a) of this section, shall apply with respect to amounts appropriated or otherwise made available for the Central Intelligence Agency for fiscal years after fiscal year 2000.”

#### EFFECTIVE DATE OF 1997 AMENDMENT

Pub. L. 105-107, title IV, § 401(b), Nov. 20, 1997, 111 Stat. 2257, provided that: “The amendments made by subsection (a) [amending this section] apply to multi-year leases entered into under section 5 of the Central Intelligence Agency Act of 1949 [this section], as so amended, on or after October 1, 1997.”

## EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97–89 effective Oct. 1, 1981, see section 806 of Pub. L. 97–89, set out as an Effective Date note under section 1621 of Title 10, Armed Forces.

## EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88–448 effective on first day of first month which begins later than the ninetieth day following Aug. 19, 1964, see section 403 of Pub. L. 88–448, title IV, Aug. 19, 1964, 78 Stat. 496.

## RESTRICTION ON TRANSFER OF FUNDS AVAILABLE TO CENTRAL INTELLIGENCE AGENCY FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES

Pub. L. 114–113, div. C, title VIII, §8046(b), Dec. 18, 2015, 129 Stat. 2362, provided that: “None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.”

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 113–235, div. C, title VIII, §8045(b), Dec. 16, 2014, 128 Stat. 2264.

Pub. L. 113–76, div. C, title VIII, §8045(b), Jan. 17, 2014, 128 Stat. 115.

Pub. L. 113–6, div. C, title VIII, §8045(b), Mar. 26, 2013, 127 Stat. 308.

Pub. L. 112–74, div. A, title VIII, §8045(b), Dec. 23, 2011, 125 Stat. 817.

Pub. L. 112–10, div. A, title VIII, §8045(b), Apr. 15, 2011, 125 Stat. 67.

Pub. L. 111–118, div. A, title VIII, §8047(b), Dec. 19, 2009, 123 Stat. 3439.

Pub. L. 110–329, div. C, title VIII, §8047(b), Sept. 30, 2008, 122 Stat. 3632.

Pub. L. 110–116, div. A, title VIII, §8048(b), Nov. 13, 2007, 121 Stat. 1325.

Pub. L. 109–289, div. A, title VIII, §8045(b), Sept. 29, 2006, 120 Stat. 1283.

Pub. L. 109–148, div. A, title VIII, §8052(b), Dec. 30, 2005, 119 Stat. 2710.

Pub. L. 108–287, title VIII, §8057(b), Aug. 5, 2004, 118 Stat. 983.

Pub. L. 108–87, title VIII, §8057(b), Sept. 30, 2003, 117 Stat. 1085.

Pub. L. 107–248, title VIII, §8058(b), Oct. 23, 2002, 116 Stat. 1550.

Pub. L. 107–117, div. A, title VIII, §8063(b), Jan. 10, 2002, 115 Stat. 2261.

Pub. L. 106–259, title VIII, §8062(b), Aug. 9, 2000, 114 Stat. 688.

Pub. L. 106–79, title VIII, §8065(b), Oct. 25, 1999, 113 Stat. 1244.

Pub. L. 105–262, title VIII, §8065(b), Oct. 17, 1998, 112 Stat. 2312.

Pub. L. 105–56, title VIII, §8071(b), Oct. 8, 1997, 111 Stat. 1235.

Pub. L. 104–208, div. A, title I, §101(b) [title VIII, §8080(b)], Sept. 30, 1996, 110 Stat. 3009–71, 3009–104.

Pub. L. 104–61, title VIII, §8096(b), Dec. 1, 1995, 109 Stat. 671.

Pub. L. 103–335, title VIII, §8154(b), Sept. 30, 1994, 108 Stat. 2658.

### § 3506a. Transformation of Central Intelligence Agency

The Director of the Central Intelligence Agency shall, in accordance with standards developed by the Director in consultation with the Director of National Intelligence—

(1) enhance the analytic, human intelligence, and other capabilities of the Central Intelligence Agency;

(2) develop and maintain an effective language program within the Agency;

(3) emphasize the hiring of personnel of diverse backgrounds for purposes of improving the capabilities of the Agency;

(4) establish and maintain effective relationships between human intelligence and signals intelligence within the Agency at the operational level; and

(5) achieve a more effective balance within the Agency with respect to unilateral operations and liaison operations.

(Pub. L. 108–458, title I, §1011(c), Dec. 17, 2004, 118 Stat. 3661.)

## CODIFICATION

Section was formerly classified to section 403–4b of this title prior to editorial reclassification and renumbering as this section.

Section was enacted as part of the Intelligence Reform and Terrorism Prevention Act of 2004, and also as part of the National Security Intelligence Reform Act of 2004, and not as part of the Central Intelligence Agency Act of 1949 which comprises this chapter.

## EFFECTIVE DATE

For Determination by President that section take effect on Apr. 21, 2005, see Memorandum of President of the United States, Apr. 21, 2005, 70 F.R. 23925, set out as a note under section 3001 of this title.

Section effective not later than six months after Dec. 17, 2004, except as otherwise expressly provided, see section 1097(a) of Pub. L. 108–458, set out in an Effective Date of 2004 Amendment; Transition Provisions note under section 3001 of this title.

## SENSE OF CONGRESS

Pub. L. 108–458, title I, §1011(b), Dec. 17, 2004, 118 Stat. 3661, provided that: “It is the sense of Congress that—

“(1) the human intelligence officers of the intelligence community have performed admirably and honorably in the face of great personal dangers;

“(2) during an extended period of unprecedented investment and improvements in technical collection means, the human intelligence capabilities of the United States have not received the necessary and commensurate priorities;

“(3) human intelligence is becoming an increasingly important capability to provide information on the asymmetric threats to the national security of the United States;

“(4) the continued development and improvement of a robust and empowered and flexible human intelligence work force is critical to identifying, understanding, and countering the plans and intentions of the adversaries of the United States; and

“(5) an increased emphasis on, and resources applied to, enhancing the depth and breadth of human intelligence capabilities of the United States intelligence community must be among the top priorities of the Director of National Intelligence.”

### § 3507. Protection of nature of Agency’s functions

In the interests of the security of the foreign intelligence activities of the United States and in order further to implement section 3024(i) of this title that the Director of National Intelligence shall be responsible for protecting intelligence sources and methods from unauthorized disclosure, the Agency shall be exempted from the provisions of sections 1 and 2 of the Act of August 28, 1935 (49 Stat. 956, 957; 5 U.S.C. 654), and the provisions of any other law which require the publication or disclosure of the organization, functions, names, official titles, salaries, or numbers of personnel employed by the Agency: *Provided*, That in furtherance of this section,