

(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 the Agency and Director of Compliance**

(a)(1) There is a Director of the National Security Agency.

(2) The Director of the National Security Agency shall be appointed by the President, by and with the advice and consent of the Senate.

(3) The Director of the National Security Agency shall be the head of the National Security Agency and shall discharge such functions and duties as are provided by this chapter or otherwise by law or executive order.

(b) 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; amended Pub. L. 113–126, title IV, §401(a), July 7, 2014, 128 Stat. 1407.)

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.

AMENDMENTS

2014—Pub. L. 113–126 added subsec. (a) and designated existing provisions as subsec. (b).

EFFECTIVE DATE OF 2014 AMENDMENT

Amendment by Pub. L. 113–126 effective Oct. 1, 2014, and applicable upon the earlier of the date of the first nomination by the President of an individual to serve as the Director of the National Security Agency that occurs on or after Oct. 1, 2014, or the date of the cessation of the performance of the duties of the Director of the National Security Agency by the individual performing such duties on Oct. 1, 2014, subject to an exception for initial nominations, see section 403 of Pub. L. 113–126, set out as a note under section 8G of the Inspector General Act of 1978, Pub. L. 95–452, in the Appendix to Title 5, Government Organization and Employees.

POSITION OF IMPORTANCE AND RESPONSIBILITY

Pub. L. 113–126, title IV, §401(b), July 7, 2014, 128 Stat. 1408, provided that:

“(1) IN GENERAL.—The President may designate the Director of the National Security Agency as a position of importance and responsibility under section 601 of title 10, United States Code.

“(2) EFFECTIVE DATE.—Paragraph (1) shall take effect on the date of the enactment of this Act [July 7, 2014].”

**§ 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 thirtieth 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)<sup>1</sup> 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,

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