

ent with those set forth in section 5401(a) of title 5.

(c) Maximum pay for fiscal year

Nothing in this section shall be construed to allow the aggregate amount payable to a member of the Senior Cryptologic Executive Service under this section during any fiscal year to exceed the annual rate payable for positions at level I of the Executive Schedule in effect at the end of such year.

(Pub. L. 86-36, §12, as added Pub. L. 97-89, title VI, §603, Dec. 4, 1981, 95 Stat. 1156; amended Pub. L. 101-194, title V, §506(c)(2), Nov. 30, 1989, 103 Stat. 1759; Pub. L. 104-106, div. A, title X, §1064(b), Feb. 10, 1996, 110 Stat. 445.)

REFERENCES IN TEXT

Section 2, referred to in subsec. (a)(1)(C), meant 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, which 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. A new section 2 of Pub. L. 86-36 subsequently was added by Pub. L. 111-259, title IV, §433, Oct. 7, 2010, 124 Stat. 2732, and is classified to section 3602 of this title.

Section 3393a of title 5, referred to in subsec. (a)(1)(H), was repealed by Pub. L. 107-296, title XIII, §1321(a)(1)(B), Nov. 25, 2002, 116 Stat. 2296.

Level I of the Executive Schedule, referred to in subsec. (c), is set out in section 5312 of Title 5, Government Organization and Employees.

CODIFICATION

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

AMENDMENTS

1996—Subsec. (a)(5). Pub. L. 104-106 struck out par. (5), which required the Director of the National Security Agency to submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate annual reports on executive personnel in the National Security Agency.

1989—Subsec. (a)(1)(F). Pub. L. 101-194, §506(c)(2)(A), struck out “and” at end of subpar. (F).

Subsec. (a)(1)(G). Pub. L. 101-194, §506(c)(2)(B), which directed amendment by inserting “and” after the semicolon at the end of subpar. (G), was executed by substituting “; and” for the period at the end of subpar. (G), to reflect the probable intent of Congress.

Subsec. (a)(1)(H). Pub. L. 101-194, §506(c)(2)(C), added subpar. (H).

EFFECTIVE DATE OF 1989 AMENDMENT

Amendment by Pub. L. 101-194 effective Jan. 1, 1991, see section 506(d) of Pub. L. 101-194, set out as a note under section 3151 of Title 5, Government Organization and Employees.

EFFECTIVE DATE

Section effective Oct. 1, 1981, see section 806 of Pub. L. 97-89, set out as a note under section 1621 of Title 10, Armed Forces.

§ 3611. Cryptologic research grant program

(a) Authorization

The Director of the National Security Agency may make grants to private individuals and institutions for the conduct of cryptologic research. An application for a grant under this section may not be approved unless the Director determines that the award of the grant would be clearly consistent with the national security.

(b) Conduct of program

The grant program established by subsection (a) shall be conducted in accordance with chapter 63 of title 31 to the extent that such chapter is consistent with and in accordance with section 3605 of this title.

(c) Authority limited to availability of appropriated funds

The authority of the Director to make grants under this section is effective for any fiscal year only to the extent that appropriated funds are available for such purpose.

(Pub. L. 86-36, §13, as added Pub. L. 97-89, title VI, §603, Dec. 4, 1981, 95 Stat. 1158.)

CODIFICATION

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

In subsec. (b), “chapter 63 of title 31” substituted for “the Federal Grant and Cooperative Agreement Act of 1977 (41 U.S.C. 501 et seq.)” and “such chapter” substituted for “such Act” on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

EFFECTIVE DATE

Section effective Oct. 1, 1981, see section 806 of Pub. L. 97-89, set out as a note under section 1621 of Title 10, Armed Forces.

§ 3612. Availability of appropriations

Funds appropriated to an entity of the Federal Government other than an element of the Department of Defense that have been specifically appropriated for the purchase of cryptologic equipment, materials, or services with respect to which the National Security Agency has been designated as the central source of procurement for the Government shall remain available for a period of three fiscal years.

(Pub. L. 86-36, §14, as added Pub. L. 97-89, title VI, §603, Dec. 4, 1981, 95 Stat. 1158.)

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 Oct. 1, 1981, see section 806 of Pub. L. 97-89, set out as a note under section 1621 of Title 10, Armed Forces.

§ 3613. Misuse of Agency name, initials, or seal

(a) No person may, except with the written permission of the Director of the National Security Agency, knowingly use the words “National Security Agency”, the initials “NSA”, the seal of the National Security Agency, or any color-