

determined by the Director), is not covered by section 3511 of this title, other similar provisions of Federal law, or any regulation issued by the Director providing death benefits, but that the Director determines such payment appropriate;" before "rental of".

§ 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 In-

telligence 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. Benefits available in event of the death of personnel

(a) Authority

The Director may pay death benefits substantially similar to those authorized for members of the Foreign Service pursuant to the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) or any other provision of law. The Director may adjust the eligibility for death benefits as necessary to meet the unique requirements of the mission of the Agency.

(b) Regulations

Regulations issued pursuant to this section shall be submitted to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives before such regulations take effect.

(June 20, 1949, ch. 227, §11, as added Pub. L. 96-450, title IV, §403(a), Oct. 14, 1980, 94 Stat. 1978; amended Pub. L. 115-31, div. N, title IV, §411, May 5, 2017, 131 Stat. 820.)

REFERENCES IN TEXT

The Foreign Service Act of 1980, referred to in subsec. (a), is Pub. L. 96-465, Oct. 17, 1980, 94 Stat. 2071, which is classified principally to chapter 52 (§3901 et seq.) of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 3901 of Title 22 and Tables.

CODIFICATION

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

AMENDMENTS

2017—Pub. L. 115-31 amended section generally. Prior to amendment, section related to Director's authority to pay death gratuities.

§ 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.

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

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

(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).

(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.

(3) Not later than the date that is 7 days after the date the Director engages in fundraising authorized by this subsection or at the time the decision is made to participate in such fundraising, the Director shall notify the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives of the fundraising.

(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; Pub. L. 115-31, div. N, title III, §303(b), May 5, 2017, 131 Stat. 810.)

CODIFICATION

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

AMENDMENTS

2017—Subsec. (f)(3). Pub. L. 115-31 added par. (3).

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 any 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 ini-