

**(C) Transmitted amounts**

Any amount described under subparagraph (B)(iv) shall be paid from the fund or appropriation used to pay the designated employee.

**(g) Exemption from certain requirements**

The Director of the Central Intelligence Agency may exempt a designated employee from mandatory compliance with any Federal regulation, rule, standardized administrative policy, process, or procedure that the Director of the Central Intelligence Agency determines—

- (1) would be inconsistent with the nonofficial cover of that employee; and
- (2) could expose that employee to detection as a Federal employee.

**(h) Taxation and social security****(1) In general**

Notwithstanding any other provision of law, a designated employee—

(A) shall file a Federal or State tax return as if that employee is not a Federal employee and may claim and receive the benefit of any exclusion, deduction, tax credit, or other tax treatment that would otherwise apply if that employee was not a Federal employee, if the Director of the Central Intelligence Agency determines that taking any action under this paragraph is necessary to—

- (i) protect from unauthorized disclosure—
  - (I) intelligence operations;
  - (II) the identities of undercover intelligence officers;
  - (III) intelligence sources and methods;
- or
- (IV) intelligence cover mechanisms; and

(ii) meet the special requirements of work related to collection of foreign intelligence or other authorized activities of the Agency; and

(B) shall receive social security benefits based on the social security contributions made.

**(2) Internal Revenue Service review**

The Director of the Central Intelligence Agency shall establish procedures to carry out this subsection. The procedures shall be subject to periodic review by the Internal Revenue Service.

**(i) Regulations**

The Director of the Central Intelligence Agency shall prescribe regulations to carry out this section. The regulations shall ensure that the combination of salary, allowances, and benefits that an employee designated under this section may retain does not significantly exceed, except to the extent determined by the Director of the Central Intelligence Agency to be necessary to exercise the authority in subsection (b), the combination of salary, allowances, and benefits otherwise received by Federal employees not designated under this section.

**(j) Finality of decisions**

Any determinations authorized by this section to be made by the Director of the Central Intel-

ligence Agency or the Director's designee shall be final and conclusive and shall not be subject to review by any court.

**(k) Subsequently enacted laws**

No law enacted after the effective date of this section shall affect the authorities and provisions of this section unless such law specifically refers to this section.

(June 20, 1949, ch. 227, §23, as added Pub. L. 108-487, title IV, §402, Dec. 23, 2004, 118 Stat. 3946.)

## REFERENCES IN TEXT

The effective date of this section, referred to in subsec. (k), is the date of enactment of Pub. L. 108-487, which was approved December 23, 2004. See section 801 of Pub. L. 108-487, set out as an Effective Date of 2004 Amendments note under section 2656f of Title 22, Foreign Relations and Intercourse.

## CODIFICATION

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

**§ 3524. Support for the Associate Director of the Central Intelligence Agency for Military Affairs****(a) Selection of Associate Director**

The Associate Director of the Central Intelligence Agency for Military Affairs shall be selected by the Secretary of Defense, with the concurrence of the Director of the Central Intelligence Agency, from among commissioned officers of the Armed Forces who are general or flag officers.

**(b) Support for activities****(1) In general**

In order to improve the provision of support to, and the receipt of support from, the Central Intelligence Agency, and to improve deconfliction of the activities of the Central Intelligence Agency and the Department of Defense, the Secretary of Defense and the Under Secretary of Defense for Intelligence<sup>1</sup> shall ensure that the Associate Director of the Central Intelligence Agency for Military Affairs has access to, and support from, offices, agencies, and programs of the Department necessary for the purposes of the Associate Director as follows:

(A) To facilitate and coordinate Department of Defense support for the Central Intelligence Agency requested by the Director of the Central Intelligence Agency and approved by the Secretary, including oversight of Department of Defense military and civilian personnel detailed or assigned to the Central Intelligence Agency.

(B) To prioritize, communicate, and coordinate Department of Defense requests for, and the provision of support to, the Department of Defense from the Central Intelligence Agency, including support requested by and provided to the commanders of the combatant commands and subordinate task forces and commands.

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

**(2) Policies**

The Under Secretary shall develop and supervise the implementation of policies to integrate and communicate Department of Defense requirements and requests for support from the Central Intelligence Agency that are coordinated by the Associate Director pursuant to paragraph (1)(B).

(Pub. L. 114-328, div. A, title X, §1054, Dec. 23, 2016, 130 Stat. 2398.)

## CODIFICATION

Section was enacted as part of the National Defense Authorization Act for Fiscal Year 2017, and not as part of the Central Intelligence Agency Act of 1949 which comprises this chapter.

## CHANGE OF NAME

Under Secretary of Defense for Intelligence redesignated and references deemed to refer to Under Secretary of Defense for Intelligence and Security, see section 1621(a) of Pub. L. 116-92, set out as a note under section 137 of Title 10, Armed Forces.

**CHAPTER 47—NATIONAL SECURITY AGENCY**

Sec.	
3601.	Short title.
3602.	Director of the Agency and Director of Compliance.
3603.	Repealed.
3604.	Additional compensation.
3605.	Disclosure of Agency's organization, function, activities, or personnel.
3606.	Repealed.
3607.	Support for activities and personnel outside the United States.
3608.	Language training and cryptologic linguist reserve programs.
3609.	Enhancement of security authorities.
3610.	Senior Cryptologic Executive Service.
3611.	Cryptologic research grant program.
3612.	Availability of appropriations.
3613.	Misuse of Agency name, initials, or seal.
3614.	Louis Stokes Educational Scholarship Program.
3615.	Repealed.
3616.	Transportation of remains of certain employees.
3617.	National Security Agency Emerging Technologies Panel.
3618.	Collection of service charges for certification or validation of information assurance products.

**§ 3601. Short title**

This chapter may be cited as the "National Security Agency Act of 1959".

(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.