

(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.)

Editorial Notes

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 initials "CIA", the seal of the Central Intelligence Agency, or any colorable imitation of such words, initials, or seal in connection with any merchandise, impersonation, solicitation, or commercial activity in a manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the Central Intelligence Agency.

(b) Injunction

Whenever it appears to the Attorney General that any person is engaged or is about to engage in an act or practice which constitutes or will constitute conduct prohibited by subsection (a),

the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice. Such court shall proceed as soon as practicable to the hearing and determination of such action and may, at any time before final determination, enter such restraining orders or prohibitions, or take such other action as is warranted, to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.

(June 20, 1949, ch. 227, §13, as added Pub. L. 97-89, title V, §503, Dec. 4, 1981, 95 Stat. 1153.)

Editorial Notes

CODIFICATION

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

Statutory Notes and Related Subsidiaries

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.

§ 3514. Retirement equity for spouses of certain employees

(a) Manner and extent of applicability

The provisions of sections 2002, 2031(b)(1)–(3), 2031(f), 2031(g), 2031(i)(2), 2031(j), 2031(m), 2032, 2033, 2034, 2035, 2052(b), 2071(b), 2071(d), and 2094(b) of this title establishing certain requirements, limitations, rights, entitlements, and benefits relating to retirement annuities, survivor benefits, and lump-sum payments for a spouse or former spouse of an Agency employee who is a participant in the Central Intelligence Agency Retirement and Disability System shall apply in the same manner and to the same extent in the case of an Agency employee who is a participant in the Civil Service Retirement and Disability System.

(b) Regulations

The Director of the Office of Personnel Management, in consultation with the Director of the Central Intelligence Agency, shall prescribe such regulations as may be necessary to implement the provisions of this section.

(June 20, 1949, ch. 227, §14, as added Pub. L. 97-269, title VI, §612, Sept. 27, 1982, 96 Stat. 1154; amended Pub. L. 99-569, title III, §302(b), Oct. 27, 1986, 100 Stat. 3194; Pub. L. 100-178, title IV, §§401(b), 402(b)(3), Dec. 2, 1987, 101 Stat. 1013, 1014; Pub. L. 102-496, title VIII, §803(a)(1), Oct. 24, 1992, 106 Stat. 3251; Pub. L. 108-458, title I, §1071(b)(3)(A), Dec. 17, 2004, 118 Stat. 3690; Pub. L. 116-92, div. E, title LXII, §6202(a)(2)(B), Dec. 20, 2019, 133 Stat. 2185.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 403n 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.

AMENDMENTS

2019—Subsec. (a). Pub. L. 116-92 substituted “2031(i)(2), 2031(j), 2031(m),” for “2031(h)(2), 2031(i), 2031(l),”.

2004—Subsec. (b). Pub. L. 108-458 substituted “Director of the Central Intelligence Agency” for “Director of Central Intelligence”.

1992—Subsec. (a). Pub. L. 102-496 substituted references to sections 2002, 2031 to 2035, 2052, 2071, and 2094 of this title for references in original to sections 204, 221 to 225, 232, 234 and 263 of the Central Intelligence Agency Retirement Act of 1964 for Certain Employees which were formerly set out in a note under section 403 of this title.

1987—Subsec. (a). Pub. L. 100-178, §402(b)(3), inserted “232(b),” before “234(c), 234(d),”.

Pub. L. 100-178, §401(b), inserted “225,” after “223, 224,”.

1986—Subsec. (a). Pub. L. 99-569 inserted “224,” after “223,”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2004 AMENDMENT

For Determination by President that amendment by Pub. L. 108-458 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.

Amendment by Pub. L. 108-458 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.

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-496 effective on first day of fourth month beginning after Oct. 24, 1992, see section 805 of Pub. L. 102-496, set out as an Effective Date note under section 2001 of this title.

EFFECTIVE DATE OF 1987 AMENDMENT

Amendment by Pub. L. 100-178 effective Nov. 15, 1982, but not to be construed to require forfeiture by any individual of benefits received before Dec. 2, 1987, nor to require reduction in level of benefits received by any individual who was receiving benefits under section 232 of Pub. L. 88-643 before Dec. 2, 1987, see section 402(c)–(e) of Pub. L. 100-178, set out as an Effective Date of Amendments to Pub. L. 88-643 Prior to Enactment of Pub. L. 102-496 note under section 2001 of this title.

EFFECTIVE DATE OF 1986 AMENDMENT

Pub. L. 99-569, title III, §302(d), Oct. 27, 1986, 100 Stat. 3194, provided that: “The amendments made by this section [amending this section and provisions formerly set out as a note under section 403 of this title] shall take effect on October 1, 1986.”

EFFECTIVE DATE

Section effective Nov. 15, 1982, see section 613 of Pub. L. 97-269 set out as an Effective Date of Amendments to Pub. L. 88-643 Prior to Enactment of Pub. L. 102-496 note under section 2001 of this title.

§ 3515. Security personnel at Agency installations

(a) Special policemen: functions and powers; regulations: promulgation and enforcement

(1) The Director may authorize Agency personnel within the United States to perform the same functions as officers and agents of the Department of Homeland Security, as provided in section 1315(b)(2) of title 40, with the powers set forth in that section, except that such personnel shall perform such functions and exercise such powers—