

“(1) There shall be in the Office of the National Counterintelligence Executive a general counsel who shall serve as principal legal advisor to the National Counterintelligence Executive.

“(2) The general counsel shall—

“(A) provide legal advice and counsel to the Executive on matters relating to functions of the Office;

“(B) ensure that the Office complies with all applicable laws, regulations, Executive orders, and guidelines; and

“(C) carry out such other duties as the Executive may specify.”

Subsec. (d)(1), (2). Pub. L. 111-259, § 412(b)(1), substituted “subsection (e)” for “subsection (f)”.

Subsec. (e). Pub. L. 111-259, § 412(a)(2), redesignated subsec. (f) as (e). Former subsec. (e) redesignated (d).

Subsec. (e)(1). Pub. L. 111-259, § 412(b)(2)(A), substituted “subsection (d)(1)” for “subsection (e)(1)”.

Subsec. (e)(2). Pub. L. 111-259, § 412(b)(2)(B), substituted “subsection (d)(2)” for “subsection (e)(2)”.

Subsec. (f). Pub. L. 111-259, § 412(a)(2), redesignated subsec. (g) as (f). Former subsec. (f) redesignated (e).

Subsec. (f)(3), (4). Pub. L. 111-259, § 412(a)(3), struck out pars. (3) and (4) which read as follows:

“(3) The employment of personnel by the Office, including the appointment, compensation and benefits, management, and separation of such personnel, shall be governed by the provisions of law on such matters with respect to the personnel of the Central Intelligence Agency, except that, for purposes of the applicability of such provisions of law to personnel of the Office, the National Counterintelligence Executive shall be treated as the head of the Office.

“(4) Positions in the Office shall be excepted service positions for purposes of title 5.”

Subsecs. (g) to (m). Pub. L. 111-259, § 412(a)(1), (2), redesignated subsecs. (k) to (m) as (g) to (i), respectively, and struck out former subsecs. (h) to (j) which related to support, availability of funds for reimbursement, and contracts, respectively. Former subsec. (g) redesignated (f).

2004—Subsec. (c). Pub. L. 108-458, § 1072(d)(1)(C)(i), substituted “Office of the Director of National Intelligence” for “Office of the Director of Central Intelligence”.

Subsec. (e)(4). Pub. L. 108-458, § 1071(g)(2)(B)(i), substituted “Director of National Intelligence” for “Director of Central Intelligence”.

Subsec. (e)(5). Pub. L. 108-458, § 1071(g)(2)(B)(ii), substituted “Director of National Intelligence” for “Director of Central Intelligence” in introductory provisions.

Subsec. (h)(1), (2). Pub. L. 108-458, § 1071(g)(2)(B)(iii), substituted “Director of National Intelligence” for “Director of Central Intelligence”.

Subsec. (l). Pub. L. 108-458, § 1072(d)(1)(C)(ii), substituted “Office of the Director of National Intelligence” for “Office of the Director of Central Intelligence” in introductory provisions.

Subsec. (m). Pub. L. 108-458, § 1071(g)(2)(B)(iv), substituted “Director of National Intelligence” for “Director of Central Intelligence”.

#### 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.

##### RULE OF CONSTRUCTION—NO ENHANCED AUTHORITIES

Nothing in amendment made by Pub. L. 117-263 to be construed as enhancing, or otherwise changing, the au-

thorities of the intelligence community to target, collect, process, or disseminate information regarding United States Government personnel, see section 6318(e) of Pub. L. 117-263, set out as a note under section 3232a of this title.

## CHAPTER 46—CENTRAL INTELLIGENCE AGENCY

Sec.	
3501.	Definitions.
3502.	Seal of office.
3503.	Procurement authorities.
3504.	Repealed.
3505.	Personnel allowances and benefits.
3506.	General authorities.
3506a.	Transformation of Central Intelligence Agency.
3507.	Protection of nature of Agency's functions.
3508.	Admission of essential aliens; limitation on number.
3509.	Repealed.
3510.	Appropriations.
3510a.	Availability of appropriations for construction projects.
3510b.	Acquisition of critical skills.
3511.	Benefits available in event of the death of personnel.
3512.	Gifts, devises, and bequests.
3513.	Misuse of Agency name, initials, or seal.
3514.	Retirement equity for spouses of certain employees.
3515.	Security personnel at Agency installations.
3516.	Health benefits for certain former spouses of Central Intelligence Agency employees.
3517.	Inspector General for Agency.
3518.	Special annuity computation rules for certain employees' service abroad.
3518a.	Portability of overseas service retirement benefit.
3519.	Special rules for disability retirement and death-in-service benefits with respect to certain employees.
3519a.	Separation pay program for voluntary separation from service.
3519b.	Special rules for certain individuals injured by reason of war, insurgency, hostile act, terrorist activities, or incidents designated by the Director.
3520.	General Counsel of Central Intelligence Agency.
3521.	Central services program.
3522.	Detail of employees.
3523.	Intelligence operations and cover enhancement authority.
3524.	Support for the Associate Director of the Central Intelligence Agency for Military Affairs.
3525.	Office of the Ombudsman for Analytic Objectivity.
3526.	Improvement of education in science, technology, engineering, arts, and mathematics.
3527.	Chaplain Corps and Chief of Chaplains.
3528.	Compensation and professional standards for certain medical officers.
3529.	Medical advisory board.
3530.	Office of wellness and workforce support.

### § 3501. Definitions

When used in this chapter, the term—

(1) “Agency” means the Central Intelligence Agency;

(2) “Director” means the Director of the Central Intelligence Agency; and

(3) “Government agency” means any executive department, commission, council, independent establishment, corporation wholly or partly owned by the United States which is an

instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government.

(June 20, 1949, ch. 227, §1, 63 Stat. 208; Pub. L. 86-707, title V, §511(a)(3), (c)(1), Sept. 6, 1960, 74 Stat. 800, 801; Pub. L. 108-458, title I, §1077, Dec. 17, 2004, 118 Stat. 3695.)

#### Editorial Notes

##### CODIFICATION

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

##### AMENDMENTS

2004—Pub. L. 108-458 redesignated subsecs. (a) to (c) as pars. (1) to (3), respectively, and amended par. (2) generally. Prior to amendment, par. (2) read as follows: “‘Director’ means the Director of Central Intelligence;”.

1960—Subsec. (c). Pub. L. 86-707, §511(c)(1), substituted “Government.” for “Government; and”.

Subsec. (d). Pub. L. 86-707, §511(a)(3), repealed subsec. (d) which defined “continental United States”. See section 5921 of Title 5, Government Organization and Employees.

##### 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.

##### SHORT TITLE

Act June 20, 1949, ch. 227, §10, formerly §12, 63 Stat. 213; renumbered §10, July 7, 1958, Pub. L. 85-507, §21(b)(2), 72 Stat. 337, provided that: “This Act [see Tables for classification] may be cited as the ‘Central Intelligence Agency Act of 1949’.”

##### SEPARABILITY

Act June 20, 1949, ch. 227, §9, formerly §11, 63 Stat. 213; renumbered §9, July 7, 1958, Pub. L. 85-507, §21(b)(2), 72 Stat. 337, provided that: “If any provision of this Act [see Tables for classification], or the application of such provision to any person or circumstances, is held invalid, the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.”

#### DESIGNATION OF HEADQUARTERS COMPOUND OF CENTRAL INTELLIGENCE AGENCY AS THE GEORGE BUSH CENTER FOR INTELLIGENCE

Pub. L. 105-272, title III, §309, Oct. 20, 1998, 112 Stat. 2403, provided that:

“(a) DESIGNATION.—The headquarters compound of the Central Intelligence Agency located in Langley, Virginia, shall be known and designated as the ‘George Bush Center for Intelligence’.

“(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the headquarters compound referred to in subsection (a) shall be deemed to be a reference to the ‘George Bush Center for Intelligence’.”

#### § 3502. Seal of office

The Director shall cause a seal of office to be made for the Central Intelligence Agency, of

such design as the President shall approve, and judicial notice shall be taken thereof.

(June 20, 1949, ch. 227, §2, 63 Stat. 208; Pub. L. 108-458, title I, §1071(b)(2)(A), Dec. 17, 2004, 118 Stat. 3690.)

#### Editorial Notes

##### CODIFICATION

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

##### AMENDMENTS

2004—Pub. L. 108-458 struck out “of Central Intelligence” after “Director”.

#### 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.

#### § 3503. Procurement authorities

##### (a) Purchases and contracts for supplies and services

In the performance of its functions the Central Intelligence Agency is authorized to exercise the authorities contained in sections 2304(a)(1) to (6), (10), (12), (15), (17), and sections 2305(a) to (c), 2306, 2307, 2308, 2309, 2312, and 2313 of title 10.<sup>1</sup>

##### (b) “Agency head” defined

In the exercise of the authorities granted in subsection (a) of this section, the term “Agency head” shall mean the Director, the Deputy Director, or the Executive of the Agency.

##### (c) Classes of purchases and contracts; finality of decision; powers delegable

The determinations and decisions provided in subsection (a) of this section to be made by the Agency head may be made with respect to individual purchases and contracts or with respect to classes of purchases or contracts, and shall be final. Except as provided in subsection (d) of this section, the Agency head is authorized to delegate his powers provided in this section, including the making of such determinations and decisions, in his discretion and subject to his direction, to any other officer or officers or officials of the Agency.

##### (d) Powers not delegable; written findings

The power of the Agency head to make the determinations or decisions specified in paragraphs (12) and (15) of section 2304(a) and section 2307(a) of title 10<sup>1</sup> shall not be delegable. Each determination or decision required by paragraphs (12) and (15) of section 2304(a), by sections 2306 and 2313, or by section 2307(a) of title 10,<sup>1</sup> shall be based upon written findings made by

<sup>1</sup> See Codification note below.