

Sec.	
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.
3619.	Senior Chief Petty Officer Shannon Kent Award for Distinguished Female Personnel.
3620.	Congressional notification of intelligence collection adjustments.

§ 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.)

Editorial Notes

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.)

Editorial Notes

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).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2014 AMENDMENT

Pub. L. 113–126, title IV, § 403, July 7, 2014, 128 Stat. 1408, as amended by Pub. L. 117–286, § 4(b)(11), Dec. 27, 2022, 136 Stat. 4344, provided that:

“(a) IN GENERAL.—Except as otherwise specifically provided, the amendments made by sections 401 [amending this section] and 402 [amending sections 8G and 12 of Pub. L. 95–452, formerly set out in the Appendix to Title 5, Government Organization and Employees] shall take effect on October 1, 2014, and shall apply upon the earlier of—

“(1) in the case of section 401—

“(A) 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 October 1, 2014; or

“(B) 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 October 1, 2014; and

“(2) in the case of section 402—

“(A) the date of the first nomination by the President of an individual to serve as the Inspector General of the National Security Agency that occurs on or after October 1, 2014; or

“(B) the date of the cessation of the performance of the duties of the Inspector General of the National Security Agency by the individual performing such duties on October 1, 2014.

“(b) EXCEPTION FOR INITIAL NOMINATIONS.—Notwithstanding paragraph (1)(A) or (2)(A) of subsection (a), an individual serving as the Director of the National Security Agency or the Inspector General of the National Security Agency on the date that the President first nominates an individual for such position on or after October 1, 2014, may continue to perform in that position after such date of nomination and until the individual appointed to the position, by and with the advice and consent of the Senate, assumes the duties of the position.

“(c) INCUMBENT INSPECTOR GENERAL.—The individual serving as Inspector General of the National Security Agency on the date of the enactment of this Act [July 7, 2014] shall be eligible to be appointed by the President to a new term of service under section 403 of title 5, United States Code, by and with the advice and consent of the Senate.”

ESTABLISHMENT OF ARTIFICIAL INTELLIGENCE SECURITY CENTER

Pub. L. 118–159, div. F, title LXV, § 6504, Dec. 23, 2024, 138 Stat. 2495, provided that:

“(a) DEFINITION OF COUNTER-ARTIFICIAL INTELLIGENCE.—In this section, the term ‘counter-artificial intelligence’ means techniques or procedures to extract information about the behavior or characteristics of an artificial intelligence system, or to learn how to manipulate an artificial intelligence system, in order to subvert the confidentiality, integrity, or availability of an artificial intelligence system or adjacent system.

“(b) ESTABLISHMENT.—Not later than 90 days after the date of the enactment of this Act [Dec. 23, 2024], the Director of the National Security Agency shall establish an Artificial Intelligence Security Center (referred to in this section as the ‘Center’) within the Cybersecurity Collaboration Center of the National Security Agency.

“(c) FUNCTIONS.—The functions of the Artificial Intelligence Security Center shall be as follows:

“(1) Developing guidance to prevent or mitigate counter-artificial intelligence techniques.

“(2) Promoting secure artificial intelligence adoption practices for managers of national security systems (as defined in section 3552 of title 44, United States Code) and elements of the defense industrial base.

“(3) Such other functions as the Director considers appropriate.

“(d) **DISESTABLISHMENT.**—The Director of the National Security Agency may disestablish the Center established in subsection (b) not earlier than 3 years after the date of the enactment of this Act provided that the Director of the National Security Agency submits to the congressional intelligence committees [Select Committee on Intelligence of the Senate and Permanent Select Committee on Intelligence of the House of Representatives] a report documenting the rationale for disestablishment of the Center, including resource trades, effectiveness, priority, and any other pertinent considerations not later than 6 months prior to the disestablishment.”

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.

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

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal effective Oct. 1, 1996, see section 1635 of Pub. L. 104–201, set out as an Effective Date of 1996 Amendment note under section 1593 of Title 10, Armed Forces.

§ 3604. Additional compensation

Officers and employees of the National Security Agency who are citizens or nationals of the United States may be granted additional compensation, in accordance with regulations which shall be prescribed by the Secretary of Defense, not in excess of additional compensation authorized by section 5941 of title 5, for employees whose rates of basic compensation are fixed by statute.

(Pub. L. 86–36, § 5, May 29, 1959, 73 Stat. 63.)

Editorial Notes

CODIFICATION

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

In text, “section 5941 of title 5” substituted for “section 207 of the Independent Offices Appropriation Act, 1949, as amended (5 U.S.C. 118h)” on authority of Pub. L. 89–554, § 7(b), Sept. 6, 1966, 80 Stat. 631. Section 1 of

Pub. L. 89–554 enacted Title 5, Government Organization and Employees.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Pub. L. 86–36, § 8, May 29, 1959, 73 Stat. 64, provided that: “The foregoing provisions of this Act [see Tables for classification] shall take effect on the first day of the first pay period which begins later than the thirtieth day following the date of enactment of this Act [May 29, 1959].”

§ 3605. Disclosure of Agency’s organization, function, activities, or personnel

(a) Except as provided in subsection (b) of this section, nothing in this chapter or any other law (including, but not limited to, the first section and section 2 of the Act of August 28, 1935)¹ shall be construed to require the disclosure of the organization or any function of the National Security Agency, or any information with respect to the activities thereof, or of the names, titles, salaries, or number of the persons employed by such agency.

(b) The reporting requirements of section 1582 of title 10¹ shall apply to positions established in the National Security Agency in the manner provided by section 3603¹ of this title.

(Pub. L. 86–36, § 6, May 29, 1959, 73 Stat. 64.)

Editorial Notes

REFERENCES IN TEXT

The first section and section 2 of the Act of August 28, 1935, referred to in subsec. (a), are sections 1 and 2 of act Aug. 28, 1935, ch. 795, 49 Stat. 956, 957, which were classified to section 654 of former Title 5, Executive Departments and Government Officers and Employees, prior to repeal by Pub. L. 86–626, title I, § 101, July 12, 1960, 74 Stat. 427.

Section 1582 of title 10, referred to in subsec. (b), was repealed by Pub. L. 97–295, § 1(19)(A), Oct. 12, 1982, 96 Stat. 1290, and a new section 1582, relating to assistive technology, was subsequently added by Pub. L. 106–398, § 1 [[div. A], title XI, § 1102(a)], Oct. 30, 2000, 114 Stat. 1654, 1654A–311.

Section 3603, referred to in subsec. (b), was repealed by Pub. L. 104–201, div. A, title XVI, § 1633(b)(1), Sept. 23, 1996, 110 Stat. 2751.

CODIFICATION

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

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective on the first day of the first pay period which begins later than the thirtieth day following May 29, 1959, see section 8 of Pub. L. 86–36, set out as a note under section 3604 of this title.

§ 3606. Repealed. Pub. L. 89–554, § 8(a), Sept. 6, 1966, 80 Stat. 660

Section, Pub. L. 86–36, § 7, May 29, 1959, 73 Stat. 64, related to reduction in number of positions in certain grades authorized by section 1105(b) of former Title 5, Executive Departments and Government Officers and Employees, by the number of positions in such grades allocated to the National Security Agency on effective date of section.

¹ See References in Text note below.