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§1363a. Undercover investigation authority

(a) In general

With respect to any undercover investigative operation of the Service which is necessary for the detection and prosecution of crimes against the United States-

(1) sums appropriated for the Service may be used for leasing space within the United States and the territories and possessions of the United States without regard to the following provisions of law:

- (A) [section 1341\(a\) of title 31](#),
- (B) [section 6301\(a\) and \(b\)\(1\) to \(3\) of title 41](#),
- (C) [chapter 45 of title 41](#),
- (D) [section 8141 of title 40](#),
- (E) [section 3324\(a\) and \(b\) of title 31](#),
- (F) [section 6306 of title 41](#), and
- (G) [section 3901 of title 41](#);

(2) sums appropriated for the Service may be used to establish or to acquire proprietary corporations or business entities as part of an undercover operation, and to operate such corporations or business entities on a commercial basis, without regard to the provisions of [section 9102 of title 31](#);

(3) sums appropriated for the Service, and the proceeds from the undercover operation, may be deposited in banks or other financial institutions without regard to the provisions of [section 648 of title 18](#) and of [section 3302\(a\) of title 31](#); and

(4) the proceeds from the undercover operation may be used to offset necessary and reasonable expenses incurred in such operation without regard to the provisions of [section 3302\(b\) of title 31](#).

The authority set forth in this subsection may be exercised only upon written certification of the Commissioner, in consultation with the Deputy