

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by Pub. L. 104-201 effective Oct. 1, 1996, see section 1124 of Pub. L. 104-201, set out as a note under section 193 of this title.

EFFECTIVE DATE

Pub. L. 103-337, div. A, title X, §1074(d), Oct. 5, 1994, 108 Stat. 2861, provided that: “Section 2798 [now 456] of title 10, United States Code, as added by subsection (b), shall take effect on the date of the enactment of this Act [Oct. 5, 1994] and shall apply with respect to (1) civil actions brought before such date that are pending adjudication on such date, and (2) civil actions brought on or after such date.”

§ 457. Operational files previously maintained by or concerning activities of National Photographic Interpretation Center: authority to withhold from public disclosure

(a) AUTHORITY.—The Secretary of Defense may withhold from public disclosure operational files described in subsection (b) to the same extent that operational files may be withheld under section 701 of the National Security Act of 1947 (50 U.S.C. 3141).

(b) COVERED OPERATIONAL FILES.—The authority under subsection (a) applies to operational files in the possession of the National Geospatial-Intelligence Agency that—

(1) as of September 22, 1996, were maintained by the National Photographic Interpretation Center; or

(2) concern the activities of the Agency that, as of such date, were performed by the National Photographic Interpretation Center.

(c) OPERATIONAL FILES DEFINED.—In this section, the term “operational files” has the meaning given that term in section 701(b) of the National Security Act of 1947 (50 U.S.C. 3141(b)).

(Added Pub. L. 106-65, div. A, title X, §1045(a), Oct. 5, 1999, 113 Stat. 762; amended Pub. L. 108-136, div. A, title IX, §921(d)(2)(A), Nov. 24, 2003, 117 Stat. 1568; Pub. L. 113-291, div. A, title X, §1071(c)(8), Dec. 19, 2014, 128 Stat. 3509.)

AMENDMENTS

2014—Subsec. (a). Pub. L. 113-291, §1071(c)(8)(A), substituted “(50 U.S.C. 3141)” for “(50 U.S.C. 431)”.

Subsec. (c). Pub. L. 113-291, §1071(c)(8)(B), substituted “(50 U.S.C. 3141(b))” for “(50 U.S.C. 431(b))”.

2003—Subsec. (b). Pub. L. 108-136 substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency” in introductory provisions.

**SUBCHAPTER III—PERSONNEL
MANAGEMENT**

Sec.

461. Management rights.

462. Financial assistance to certain employees in acquisition of critical skills.

AMENDMENTS

2001—Pub. L. 107-108, title V, §504(b), Dec. 28, 2001, 115 Stat. 1406, added item 462.

§ 461. Management rights

(a) SCOPE.—If there is no obligation under the provisions of chapter 71 of title 5 for the head of an agency of the United States to consult or negotiate with a labor organization on a particular

matter by reason of that matter being covered by a provision of law or a Governmentwide regulation, the Director of the National Geospatial-Intelligence Agency is not obligated to consult or negotiate with a labor organization on that matter even if that provision of law or regulation is inapplicable to the National Geospatial-Intelligence Agency.

(b) BARGAINING UNITS.—The Director of the National Geospatial-Intelligence Agency shall accord exclusive recognition to a labor organization under section 7111 of title 5 only for a bargaining unit that was recognized as appropriate for the Defense Mapping Agency on September 30, 1996.

(c) TERMINATION OF BARGAINING UNIT COVERAGE OF POSITION MODIFIED TO AFFECT NATIONAL SECURITY DIRECTLY.—(1) If the Director of the National Geospatial-Intelligence Agency determines that the responsibilities of a position within a collective bargaining unit should be modified to include intelligence, counterintelligence, investigative, or security duties not previously assigned to that position and that the performance of the newly assigned duties directly affects the national security of the United States, then, upon such a modification of the responsibilities of that position, the position shall cease to be covered by the collective bargaining unit and the employee in that position shall cease to be entitled to representation by a labor organization accorded exclusive recognition for that collective bargaining unit.

(2) A determination described in paragraph (1) that is made by the Director of the National Geospatial-Intelligence Agency may not be reviewed by the Federal Labor Relations Authority or any court of the United States.

(Added Pub. L. 104-201, div. A, title XI, §1112(a)(2), Sept. 23, 1996, 110 Stat. 2681; amended Pub. L. 108-136, div. A, title IX, §921(d)(2)(A), (C), Nov. 24, 2003, 117 Stat. 1568.)

AMENDMENTS

2003—Subsec. (a). Pub. L. 108-136, §921(d)(2)(A), substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency” in two places.

Subsec. (b). Pub. L. 108-136, §921(d)(2)(C), substituted “The Director of the National Geospatial-Intelligence Agency” for “The National Imagery and Mapping Agency” and “on September 30, 1996” for “on the day before the date on which employees and positions of the Defense Mapping Agency in that bargaining unit became employees and positions of the National Imagery and Mapping Agency under the National Imagery and Mapping Agency Act of 1996 (title XI of the National Defense Authorization Act for Fiscal Year 1997)”.

Subsec. (c). Pub. L. 108-136, §921(d)(2)(A), substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency” in two places.

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1124 of Pub. L. 104-201, set out as an Effective Date of 1996 Amendment note under section 193 of this title.

§ 462. Financial assistance to certain employees in acquisition of critical skills

The Secretary of Defense may establish an undergraduate training program with respect to civilian employees of the National Geospatial-Intelligence Agency.

telligence Agency that is similar in purpose, conditions, content, and administration to the program established by the Secretary of Defense under section 16 of the National Security Agency Act of 1959 (50 U.S.C. 3614) for civilian employees of the National Security Agency.

(Added Pub. L. 107–108, title V, § 504(a), Dec. 28, 2001, 115 Stat. 1405; amended Pub. L. 108–136, div. A, title IX, § 921(d)(2)(A), Nov. 24, 2003, 117 Stat. 1568; Pub. L. 113–291, div. A, title X, § 1071(c)(9), Dec. 19, 2014, 128 Stat. 3509.)

AMENDMENTS

2014—Pub. L. 113–291 substituted “(50 U.S.C. 3614)” for “(50 U.S.C. 402 note)”.

2003—Pub. L. 108–136 substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency”.

SUBCHAPTER IV—DEFINITIONS

Sec.
467. Definitions.

§ 467. Definitions

In this chapter:

(1) The term “function” means any duty, obligation, responsibility, privilege, activity, or program.

(2)(A) The term “imagery” means, except as provided in subparagraph (B), a likeness or presentation of any natural or manmade feature or related object or activity and the positional data acquired at the same time the likeness or representation was acquired, including—

(i) products produced by space-based national intelligence reconnaissance systems; and

(ii) likenesses or presentations produced by satellites, airborne platforms, unmanned aerial vehicles, or other similar means.

(B) Such term does not include handheld or clandestine photography taken by or on behalf of human intelligence collection organizations.

(3) The term “imagery intelligence” means the technical, geographic, and intelligence information derived through the interpretation or analysis of imagery and collateral materials.

(4) The term “geospatial information” means information that identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth and includes—

(A) statistical data and information derived from, among other things, remote sensing, mapping, and surveying technologies; and

(B) mapping, charting, geodetic data, and related products.

(5) The term “geospatial intelligence” means the exploitation and analysis of imagery and geospatial information to describe, assess, and visually depict physical features and geographically referenced activities on the earth. Geospatial intelligence consists of imagery, imagery intelligence, and geospatial information.

(Added Pub. L. 104–201, div. A, title XI, § 1112(a)(2), Sept. 23, 1996, 110 Stat. 2682; amended

Pub. L. 105–85, div. A, title IX, § 933(b)(2), Nov. 18, 1997, 111 Stat. 1866; Pub. L. 108–136, div. A, title IX, § 921(b), Nov. 24, 2003, 117 Stat. 1568.)

AMENDMENTS

2003—Par. (5). Pub. L. 108–136 added par. (5).

1997—Par. (4). Pub. L. 105–85 inserted “and” at end of subpar. (A), substituted “geodetic data, and related products.” for “and geodetic data; and” in subpar. (B), and struck out subpar. (C) which read as follows: “geodetic products, as defined in section 455(c) of this title.”

EFFECTIVE DATE

Section effective Oct. 1, 1996, see section 1124 of Pub. L. 104–201, set out as an Effective Date of 1996 Amendment note under section 193 of this title.

CHAPTER 23—MISCELLANEOUS STUDIES AND REPORTS

Sec.	
480.	Reports to Congress: submission in electronic form.
481.	Racial and ethnic issues; gender issues: surveys.
481a.	Workplace and gender relations issues: surveys of Department of Defense civilian employees.
482.	Quarterly reports: personnel and unit readiness.
[483.	Repealed.]
484.	Quarterly cyber operations briefings.
485.	Quarterly counterterrorism operations briefings.
[486, 487.	Repealed.]
488.	Management of electromagnetic spectrum.
[489 to 491.	Repealed or Renumbered.]

AMENDMENTS

2014—Pub. L. 113–291, div. A, title III, § 331(b), title X, § 1073(a)(2), Dec. 19, 2014, 128 Stat. 3344, 3518, added item 481a and struck out item 489 “Annual report on Department of Defense operation and financial support for military museums”.

2013—Pub. L. 113–66, div. A, title X, §§ 1042(a)(2), 1072(b)(2), 1084(a)(1)(B), Dec. 26, 2013, 127 Stat. 857, 869, 871, added item 485, substituted “Management of electromagnetic spectrum” for “Management of electromagnetic spectrum: biennial strategic plan” in item 488, and struck out item 483 “Reports on transfers from high-priority readiness appropriations”.

Pub. L. 112–239, div. A, title IX, § 939(c), title X, § 1031(b)(3)(A)(ii), Jan. 2, 2013, 126 Stat. 1888, 1918, added item 484 and struck out items 490a “Biennial assessment and report on the delivery platforms for nuclear weapons and the nuclear command and control system” and 491 “Nuclear employment strategy of the United States: reports on modification of strategy”.

2011—Pub. L. 112–81, div. A, title X, §§ 1041(c), 1046(b)(2), 1061(6)(B), (7)(B), (8)(B), (9)(B), (10)(B), Dec. 31, 2011, 125 Stat. 1575, 1579, 1583, added items 490a and 491 and struck out items 484 “Annual report on aircraft inventory”, 485 “Joint and service concept development and experimentation”, 486 “Quadrennial report on emerging operational concepts”, 487 “Unit operations tempo and personnel tempo: annual report”, and 490 “Space cadre management: biennial report”.

2008—Pub. L. 110–417, [div. A], title II, § 241(b), Oct. 14, 2008, 122 Stat. 4398, added item 485 and struck out former item 485 “Joint warfighting experimentation”.

Pub. L. 110–181, div. A, title IX, § 912(b), Jan. 28, 2008, 122 Stat. 281, added item 490.

2004—Pub. L. 108–375, div. A, title X, § 1033(b), Oct. 28, 2004, 118 Stat. 2048, added item 489.

2003—Pub. L. 108–136, div. A, title X, § 1054(b), Nov. 24, 2003, 117 Stat. 1615, added item 488.

2002—Pub. L. 107–314, div. A, title V, § 561(a)(2), Dec. 2, 2002, 116 Stat. 2554, substituted “Racial and ethnic issues; gender issues: surveys” for “Race relations, gen-