

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|----------------------------|
| 2794 | 10:7394. | |

The words “Secretary of Defense” and “Defense Mapping Agency” are substituted for “Secretary of the Navy” and “United States Naval Oceanographic Office”, respectively, for consistency with 10:2791. The word “prescribed” is substituted for “determined” for consistency in title 10. The last sentence, which provided that money from sales be covered into the Treasury, is omitted because of 31:3302.

AMENDMENTS

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

Subsec. (b)(1). Pub. L. 108-136, § 921(d)(2)(B), substituted “NGA” for “NIMA”.

Subsec. (b)(2). Pub. L. 108-136, § 921(d)(2)(A), (B), substituted “NGA” for “NIMA” and “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency”.

1999—Pub. L. 106-65 amended section catchline and text generally. Prior to amendment, text read as follows: “All maps, charts, and other publications offered for sale by the National Imagery and Mapping Agency shall be sold at prices and under regulations that may be prescribed by the Secretary of Defense.”

1996—Pub. L. 104-201 renumbered section 2794 of this title as this section and substituted “National Imagery and Mapping Agency” for “Defense Mapping Agency”.

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.

§ 454. Exchange of mapping, charting, and geodetic data with foreign countries, international organizations, nongovernmental organizations, and academic institutions

(a) FOREIGN COUNTRIES AND INTERNATIONAL ORGANIZATIONS.—The Secretary of Defense may authorize the National Geospatial-Intelligence Agency to exchange or furnish mapping, charting, and geodetic data, supplies and services to a foreign country or international organization pursuant to an agreement for the production or exchange of such data.

(b) NONGOVERNMENTAL ORGANIZATIONS AND ACADEMIC INSTITUTIONS.—The Secretary may authorize the National Geospatial-Intelligence Agency to exchange or furnish mapping, charting, and geodetic data, supplies, and services relating to areas outside of the United States to a nongovernmental organization or an academic institution engaged in geospatial information research or production of such areas pursuant to an agreement for the production or exchange of such data.

(Added Pub. L. 99-569, title VI, § 601(a), Oct. 27, 1986, 100 Stat. 3202, § 2795; renumbered § 454 and amended Pub. L. 104-201, div. A, title XI, § 1112(b), Sept. 23, 1996, 110 Stat. 2682; Pub. L. 108-136, div. A, title IX, § 921(d)(2)(A), Nov. 24, 2003, 117 Stat. 1568; Pub. L. 112-81, div. A, title IX, § 923(a), (b)(1), Dec. 31, 2011, 125 Stat. 1539.)

AMENDMENTS

2011—Pub. L. 112-81, § 923(b)(1), amended section catchline generally, substituting “Exchange of map-

ping, charting, and geodetic data with foreign countries, international organizations, nongovernmental organizations, and academic institutions” for “Exchange of mapping, charting, and geodetic data with foreign countries and international organizations”.

Pub. L. 112-81, § 923(a), designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

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

1996—Pub. L. 104-201 renumbered section 2795 of this title as this section and substituted “National Imagery and Mapping Agency” for “Defense Mapping Agency”.

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.

§ 455. Maps, charts, and geodetic data: public availability; exceptions

(a) The National Geospatial-Intelligence Agency shall offer for sale maps and charts at scales of 1:500,000 and smaller, except those withheld in accordance with subsection (b) or those specifically authorized under criteria established by Executive order to be kept secret in the interest of national defense or foreign policy and in fact properly classified pursuant to such Executive order.

(b)(1) Notwithstanding any other provision of law, the Secretary of Defense may withhold from public disclosure any geodetic product in the possession of, or under the control of, the Department of Defense—

(A) that was obtained or produced, or that contains information that was provided, pursuant to an international agreement that restricts disclosure of such product or information to government officials of the agreeing parties or that restricts use of such product or information to government purposes only;

(B) that contains information that the Secretary of Defense has determined in writing would, if disclosed, reveal sources and methods, or capabilities, used to obtain source material for production of the geodetic product; or

(C) that contains information that the Director of the National Geospatial-Intelligence Agency has determined in writing would, if disclosed, jeopardize or interfere with ongoing military or intelligence operations, reveal military operational or contingency plans, or reveal, jeopardize, or compromise military or intelligence capabilities.

(2) In this subsection, the term “geodetic product” means imagery, imagery intelligence, or geospatial information.

(c)(1) Regulations to implement this section (including any amendments to such regulations) shall be published in the Federal Register for public comment for a period of not less than 30 days before they take effect.

(2) Regulations under this section shall address the conditions under which release of geodetic products authorized under subsection (b) to be withheld from public disclosure would be appropriate—

(A) in the case of allies of the United States; and

(B) in the case of qualified United States contractors (including contractors that are