

## CONGRESSIONAL FINDINGS

Pub. L. 104-201, div. A, title XI, §1102, Sept. 23, 1996, 110 Stat. 2676, provided that: "Congress makes the following findings:

"(1) There is a need within the Department of Defense and the Intelligence Community of the United States to provide a single agency focus for the growing number and diverse types of customers for imagery and geospatial information resources within the Government, to ensure visibility and accountability for those resources, and to harness, leverage, and focus rapid technological developments to serve the imagery, imagery intelligence, and geospatial information customers.

"(2) There is a need for a single Government agency to solicit and advocate the needs of that growing and diverse pool of customers.

"(3) A single combat support agency dedicated to imagery, imagery intelligence, and geospatial information could act as a focal point for support of all imagery intelligence and geospatial information customers, including customers in the Department of Defense, the Intelligence Community, and related agencies outside of the Department of Defense.

"(4) Such an agency would best serve the needs of the imagery, imagery intelligence, and geospatial information customers if it were organized—

"(A) to carry out its mission responsibilities under the authority, direction, and control of the Secretary of Defense, with the advice of the Chairman of the Joint Chiefs of Staff; and

"(B) to carry out its responsibilities to national intelligence customers in accordance with policies and priorities established by the Director of Central Intelligence."

## ESTABLISHMENT OF NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY; TRANSFER OF FUNCTIONS

Pub. L. 104-201, div. A, title XI, §1111, Sept. 23, 1996, 110 Stat. 2677, provided that:

"(a) ESTABLISHMENT.—There is hereby established in the Department of Defense a Defense Agency to be known as the National Imagery and Mapping Agency [now National Geospatial-Intelligence Agency].

"(b) TRANSFER OF FUNCTIONS FROM DEPARTMENT OF DEFENSE ENTITIES.—The missions and functions of the following elements of the Department of Defense are transferred to the National Imagery and Mapping Agency [now National Geospatial-Intelligence Agency]:

"(1) The Defense Mapping Agency.

"(2) The Central Imagery Office.

"(3) Other elements of the Department of Defense as specified in the classified annex to this Act [see section 1002 of Pub. L. 104-201, set out as a note under section 114 of this title].

"(c) TRANSFER OF FUNCTIONS FROM CENTRAL INTELLIGENCE AGENCY.—The missions and functions of the following elements of the Central Intelligence Agency are transferred to the National Imagery and Mapping Agency [now National Geospatial-Intelligence Agency]:

"(1) The National Photographic Interpretation Center.

"(2) Other elements of the Central Intelligence Agency as specified in the classified annex to this Act.

"(d) PRESERVATION OF LEVEL AND QUALITY OF IMAGERY INTELLIGENCE SUPPORT TO ALL-SOURCE ANALYSIS AND PRODUCTION.—In managing the establishment of the National Imagery and Mapping Agency [now National Geospatial-Intelligence Agency], the Secretary of Defense, in consultation with the Director of Central Intelligence, shall ensure that imagery intelligence support provided to all-source analysis and production is in no way degraded or compromised."

## TRANSFERS OF PERSONNEL AND ASSETS

Pub. L. 104-201, div. A, title XI, §1113, Sept. 23, 1996, 110 Stat. 2684, provided that:

"(a) PERSONNEL AND ASSETS.—Subject to subsections (b) and (c), the personnel, assets, unobligated balances

of appropriations and authorizations of appropriations, and, to the extent jointly determined appropriate by the Secretary of Defense and Director of Central Intelligence, obligated balances of appropriations and authorizations of appropriations employed, used, held, arising from, or available in connection with the missions and functions transferred under section 1111(b) or section 1111(c) [set out above] are transferred to the National Imagery and Mapping Agency [now National Geospatial-Intelligence Agency]. Transfers of appropriations from the Central Intelligence Agency under this subsection shall be made in accordance with section 1531 of title 31, United States Code.

"(b) DETERMINATION OF CIA POSITIONS TO BE TRANSFERRED.—Not earlier than two years after the effective date of this subtitle [Oct. 1, 1996], the Secretary of Defense and the Director of Central Intelligence shall determine which, if any, positions and personnel of the Central Intelligence Agency are to be transferred to the National Imagery and Mapping Agency [now National Geospatial-Intelligence Agency]. The positions to be transferred, and the employees serving in such positions, shall be transferred to the National Imagery and Mapping Agency under terms and conditions prescribed by the Secretary of Defense and the Director of Central Intelligence.

"(c) RULE FOR CIA IMAGERY ACTIVITIES ONLY PARTIALLY TRANSFERRED.—If the National Photographic Interpretation Center of the Central Intelligence Agency or any imagery-related activity of the Central Intelligence Agency authorized to be performed by the National Imagery and Mapping Agency [now National Geospatial-Intelligence Agency] is not completely transferred to the National Imagery and Mapping Agency, the Secretary of Defense and the Director of Central Intelligence shall—

"(1) jointly determine which, if any, contracts, leases, property, and records employed, used, held, arising from, available to, or otherwise relating to such Center or activity is to be transferred to the National Imagery and Intelligence Agency; and

"(2) provide by written agreement for the transfer of such items."

## CREDITABLE CIVILIAN SERVICE FOR CAREER CONDITIONAL EMPLOYEES OF DEFENSE MAPPING AGENCY

Pub. L. 104-201, div. A, title XI, §1115, Sept. 23, 1996, 110 Stat. 2686, provided that: "In the case of an employee of the National Imagery and Mapping Agency [now National Geospatial-Intelligence Agency] who, on the day before the effective date of this title [Oct. 1, 1996], was an employee of the Defense Mapping Agency in a career-conditional status, the continuous service of that employee as an employee of the National Imagery and Mapping Agency on and after such date shall be considered creditable service for the purpose of any determination of the career status of the employee."

## DEFINITIONS

Pub. L. 104-201, div. A, title XI, §1117, Sept. 23, 1996, 110 Stat. 2686, provided that: "In this subtitle [subtitle A (§§ 1111-1118) of title XI of div. A of Pub. L. 104-201, enacting this chapter, section 424 of this title, and sections 3045 and 3046 of Title 50, War and National Defense, amending sections 193 and 451 to 456 of this title, section 1336 of Title 44, Public Printing and Documents, and section 3038 of Title 50, renumbering chapter 22 and sections 2792 to 2796 and 2798 of this title as chapter 23 and sections 451 to 455 and 456 of this title, respectively, repealing sections 424 and 425 of this title, enacting provisions set out as notes under this section, and amending provisions set out as a note under section 501 of Title 44], the terms 'function', 'imagery', 'imagery intelligence', and 'geospatial information' have the meanings given those terms in section 467 of title 10, United States Code, as added by section 1112."

## § 442. Missions

(a) NATIONAL SECURITY MISSIONS.—(1) The National Geospatial-Intelligence Agency shall, in

support of the national security objectives of the United States, provide geospatial intelligence consisting of the following:

- (A) Imagery.
- (B) Imagery intelligence.
- (C) Geospatial information.

(2)(A) As directed by the Director of National Intelligence, the National Geospatial-Intelligence Agency shall develop a system to facilitate the analysis, dissemination, and incorporation of likenesses, videos, and presentations produced by ground-based platforms, including handheld or clandestine photography taken by or on behalf of human intelligence collection organizations or available as open-source information, into the National System for Geospatial Intelligence.

(B) The authority provided by this paragraph does not include authority for the National Geospatial-Intelligence Agency to manage tasking of handheld or clandestine photography taken by or on behalf of human intelligence collection organizations.

(3) Geospatial intelligence provided in carrying out paragraphs (1) and (2) shall be timely, relevant, and accurate.

(b) NAVIGATION INFORMATION.—The National Geospatial-Intelligence Agency shall improve the means for safe navigation by providing, under the authority of the Secretary of Defense, accurate geospatial information for use by the departments and agencies of the United States, the merchant marine, and navigators generally.

(c) MAPS, CHARTS, ETC.—The National Geospatial-Intelligence Agency shall acquire, prepare, and distribute maps, safe-for-navigation charts and datasets, books, and geomatics products as authorized under subchapter II of this chapter.

(d) NATIONAL MISSIONS.—The National Geospatial-Intelligence Agency also has national missions as specified in section 110(a) of the National Security Act of 1947 (50 U.S.C. 3045(a)).

(e) SYSTEMS.—The National Geospatial-Intelligence Agency may, in furtherance of a mission of the Agency, design, develop, deploy, operate, and maintain systems related to the processing and dissemination of imagery intelligence and geospatial information that may be transferred to, accepted or used by, or used on behalf of—

- (1) the armed forces, including any combatant command, component of a combatant command, joint task force, or tactical unit; or
- (2) any other department or agency of the United States.

(f) VALIDATION.—The National Geospatial-Intelligence Agency shall assist the Joint Chiefs of Staff, combatant commands, and the military departments in establishing, coordinating, consolidating, and validating mapping, charting, geomatics data, and safety of navigation capability requirements through a formal process governed by the Joint Staff. Consistent with validated requirements, the National Geospatial-Intelligence Agency shall provide aeronautical and nautical charts that are safe for navigation, maps, books, datasets, models, and geomatics products.

(Added Pub. L. 104-201, div. A, title XI, § 1112(a)(2), Sept. 23, 1996, 110 Stat. 2678; amended

Pub. L. 108-136, div. A, title IX, § 921(c)(1), (d)(2)(A), (f), Nov. 24, 2003, 117 Stat. 1568, 1570; Pub. L. 111-259, title IV, § 432, Oct. 7, 2010, 124 Stat. 2732; Pub. L. 113-291, div. A, title X, § 1071(c)(6), Dec. 19, 2014, 128 Stat. 3509; Pub. L. 116-283, div. A, title XVI, § 1621(a), Jan. 1, 2021, 134 Stat. 4052.)

## Editorial Notes

### AMENDMENTS

2021—Subsec. (b). Pub. L. 116-283, § 1621(a)(1), substituted “the means for safe navigation” for “means of navigating vessels of the Navy and the merchant marine” and “geospatial information for use by the departments and agencies of the United States, the merchant marine, and navigators generally.” for “and inexpensive nautical charts, sailing directions, books on navigation, and manuals of instructions for the use of all vessels of the United States and of navigators generally.”

Subsec. (c). Pub. L. 116-283, § 1621(a)(2), substituted “shall acquire, prepare, and” for “shall prepare and”, “safe-for-navigation charts and datasets” for “charts”, and “geomatics” for “geodetic”.

Subsec. (f). Pub. L. 116-283, § 1621(a)(3), added subsec. (f).

2014—Subsec. (d). Pub. L. 113-291 substituted “(50 U.S.C. 3045(a))” for “(50 U.S.C. 404e(a))”.

2010—Subsec. (a)(2). Pub. L. 111-259, § 432(2), added par. (2). Former par. (2) redesignated (3).

Subsec. (a)(3). Pub. L. 111-259, § 432(1), (3), redesignated par. (2) as (3) and substituted “paragraphs (1) and (2)” for “paragraph (1)”.

2003—Subsec. (a)(1). Pub. L. 108-136, § 921(c)(1)(A), (d)(2)(A), in introductory provisions, substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency” and inserted “geospatial intelligence consisting of” after “provide”.

Subsec. (a)(2). Pub. L. 108-136, § 921(c)(1)(B), substituted “Geospatial intelligence” for “Imagery, intelligence, and information”.

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

Subsec. (d). Pub. L. 108-136, § 921(d)(2)(A), (f), substituted “National Geospatial-Intelligence Agency” for “National Imagery and Mapping Agency” and “section 110(a) of the National Security Act of 1947 (50 U.S.C. 404e(a))” for “section 120(a) of the National Security Act of 1947”.

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

## Statutory Notes and Related Subsidiaries

### 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.

## § 443. Imagery intelligence and geospatial information: support for foreign countries, regional organizations, and security alliances

(a) USE OF APPROPRIATED FUNDS.—The Director of the National Geospatial-Intelligence Agency may use appropriated funds available to the National Geospatial-Intelligence Agency to provide foreign countries, regional organizations with defense or security components, and security alliances of which the United States is a member with imagery intelligence and geospatial information support.

(b) USE OF FUNDS OTHER THAN APPROPRIATED FUNDS.—The Director may use funds other than