

States Armed Forces that are permanently stationed outside the United States. The review shall include an assessment of the following:

(A) The alliance requirements that are to be found in agreements between the United States and other countries.

(B) The national security interests that support permanently stationing elements of the United States Armed Forces outside the United States.

(C) The stationing costs associated with the forward deployment of elements of the United States Armed Forces.

(D) The alternatives available to forward deployment (such as material prepositioning, enhanced airlift and sealift, or joint training operations) to meet such alliance requirements or national security interests, with such alternatives identified and described in detail.

(E) The costs and force structure configurations associated with such alternatives to forward deployment.

(F) The financial contributions that allies of the United States make to common defense efforts (to promote democratization, economic stabilization, transparency arrangements, defense economic conversion, respect for the rule of law, and internationally recognized human rights).

(G) The contributions that allies of the United States make to meeting the stationing costs associated with the forward deployment of elements of the United States Armed Forces.

(H) The annual expenditures of the United States and its allies on national defense, and the relative percentages of each nation's gross domestic product constituted by those expenditures.

(2) The President shall submit to Congress a report on the review under paragraph (1). The report shall be submitted not later than March 1, 1997, in classified and unclassified form.

(e) REPORT DATE.—Section 1003(c) of Public Law 98-515 is amended by striking out “each year” and inserting “by March 1, 1998, and every other year thereafter”.

TITLE XI—NATIONAL IMAGERY AND MAPPING AGENCY

National Imagery and Mapping Agency Act of 1996.

Sec. 1101. Short title.

Sec. 1102. Findings.

Sec. 1103. Role of Director of Central Intelligence in appointment and evaluation of certain intelligence officials.

Subtitle A—Establishment of Agency

Sec. 1111. Establishment.

Sec. 1112. Missions and authority.

Sec. 1113. Transfers of personnel and assets.

Sec. 1114. Compatibility with authority under the National Security Act of 1947.

Sec. 1115. Creditable civilian service for career conditional employees of the Defense Mapping Agency.

Sec. 1116. Saving provisions.

Sec. 1117. Definitions.

Sec. 1118. Authorization of appropriations.

Subtitle B—Conforming Amendments and Effective Dates

Sec. 1121. Redesignation and repeals.

Sec. 1122. Reference amendments.

Sec. 1123. Headings and clerical amendments.

Sec. 1124. Effective date.

10 USC 441 note. **SEC. 1101. SHORT TITLE.**

This title may be cited as the “National Imagery and Mapping Agency Act of 1996”.

10 USC 441 note. **SEC. 1102. FINDINGS.**

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.

SEC. 1103. ROLE OF DIRECTOR OF CENTRAL INTELLIGENCE IN APPOINTMENT AND EVALUATION OF CERTAIN INTELLIGENCE OFFICIALS.

(a) **IN GENERAL.**—Section 201 of title 10, United States Code, is amended to read as follows:

“§ 201. Certain intelligence officials: consultation and concurrence regarding appointments; evaluation of performance

“(a) **CONSULTATION REGARDING APPOINTMENT.**—Before submitting a recommendation to the President regarding the appointment of an individual to the position of Director of the Defense Intelligence Agency, the Secretary of Defense shall consult with the Director of Central Intelligence regarding the recommendation.

“(b) **CONCURRENCE IN APPOINTMENT.**—(1) Before submitting a recommendation to the President regarding the appointment of an individual to a position referred to in paragraph (2), the Secretary of Defense shall seek the concurrence of the Director of Central Intelligence in the recommendation. If the Director does not concur in the recommendation, the Secretary may make the recommendation to the President without the Director’s concu-

rence, but shall include in the recommendation a statement that the Director does not concur in the recommendation.

“(2) Paragraph (1) applies to the following positions:

“(A) The Director of the National Security Agency.

“(B) The Director of the National Reconnaissance Office.

“(C) The Director of the National Imagery and Mapping Agency.

“(c) PERFORMANCE EVALUATIONS.—(1) The Director of Central Intelligence shall provide annually to the Secretary of Defense, for the Secretary’s consideration, an evaluation of the performance of the individuals holding the positions referred to in paragraph (2) in fulfilling their respective responsibilities with regard to the National Foreign Intelligence Program.

“(2) The positions referred to in paragraph (1) are the following:

“(A) The Director of the National Security Agency.

“(B) The Director of the National Reconnaissance Office.

“(C) The Director of the National Imagery and Mapping Agency.”

(b) CLERICAL AMENDMENT.—The item relating to section 201 in the table of sections at the beginning of subchapter II of chapter 8 of such title is amended to read as follows:

“201. Certain intelligence officials: consultation and concurrence regarding appointments; evaluation of performance.”

Subtitle A—Establishment of Agency

SEC. 1111. ESTABLISHMENT.

10 USC 441 note.

(a) ESTABLISHMENT.—There is hereby established in the Department of Defense a Defense Agency to be known as the National Imagery and Mapping 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:

(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.

(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:

(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, 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.

SEC. 1112. MISSIONS AND AUTHORITY.

(a) AGENCY CHARTER.—Part I of subtitle A of title 10, United States Code, is amended—

(1) by redesignating chapter 22 as chapter 23; and
 (2) by inserting after chapter 21 the following new chapter 22:

**“CHAPTER 22—NATIONAL IMAGERY AND MAPPING
 AGENCY**

“Subchapter	Sec.
“I. Missions and Authority	441
“II. Maps, Charts, and Geodetic Products	451
“III. Personnel Management	461
“IV. Definitions	467

“SUBCHAPTER I—MISSIONS AND AUTHORITY

“Sec.

“441. Establishment.

“442. Missions.

“443. Imagery intelligence and geospatial information: support for foreign countries.

“444. Support from Central Intelligence Agency.

“445. Protection of agency identifications and organizational information.

“§ 441. Establishment

“(a) ESTABLISHMENT.—The National Imagery and Mapping Agency is a combat support agency of the Department of Defense and has significant national missions.

“(b) DIRECTOR.—(1) The Director of the National Imagery and Mapping Agency is the head of the agency.

“(2) Upon a vacancy in the position of Director, the Secretary of Defense shall recommend to the President an individual for appointment to the position.

“(3) If an officer of the armed forces on active duty is appointed to the position of Director, the position shall be treated as having been designated by the President as a position of importance and responsibility for purposes of section 601 of this title and shall carry the grade of lieutenant general, or, in the case of an officer of the Navy, vice admiral.

“(c) DIRECTOR OF CENTRAL INTELLIGENCE COLLECTION TASKING AUTHORITY.—Unless otherwise directed by the President, the Director of Central Intelligence shall have authority (except as otherwise agreed by the Director and the Secretary of Defense) to—

“(1) approve collection requirements levied on national imagery collection assets;

“(2) determine priorities for such requirements; and

“(3) resolve conflicts in such priorities.

“(d) AVAILABILITY AND CONTINUED IMPROVEMENT OF IMAGERY INTELLIGENCE SUPPORT TO ALL-SOURCE ANALYSIS AND PRODUCTION FUNCTION.—The Secretary of Defense, in consultation with the Director of Central Intelligence, shall take all necessary steps to ensure the full availability and continued improvement of imagery intelligence support for all-source analysis and production.

“§ 442. Missions

“(a) NATIONAL SECURITY MISSIONS.—(1) The National Imagery and Mapping Agency shall, in support of the national security objectives of the United States, provide the following:

“(A) Imagery.

“(B) Imagery intelligence.

“(C) Geospatial information.

“(2) Imagery, intelligence, and information provided in carrying out paragraph (1) shall be timely, relevant, and accurate.

“(b) NAVIGATION INFORMATION.—The National Imagery and Mapping Agency shall improve means of navigating vessels of the Navy and the merchant marine by providing, under the authority of the Secretary of Defense, accurate 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.

“(c) MAPS, CHARTS, ETC.—The National Imagery and Mapping Agency shall prepare and distribute maps, charts, books, and geodetic products as authorized under subchapter II of this chapter.

“(d) NATIONAL MISSIONS.—The National Imagery and Mapping Agency also has national missions as specified in section 120(a) of the National Security Act of 1947.

“(e) SYSTEMS.—The National Imagery and Mapping 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.

“§ 443. Imagery intelligence and geospatial information: support for foreign countries

“(a) USE OF APPROPRIATED FUNDS.—The Director of the National Imagery and Mapping Agency may use appropriated funds available to the National Imagery and Mapping Agency to provide foreign countries with imagery intelligence and geospatial information support.

“(b) USE OF FUNDS OTHER THAN APPROPRIATED FUNDS.—The Director may use funds other than appropriated funds to provide foreign countries with imagery intelligence and geospatial information support, notwithstanding provisions of law relating to the expenditure of funds of the United States, except that—

“(1) no such funds may be expended, in whole or in part, by or for the benefit of the National Imagery and Mapping Agency for a purpose for which Congress had previously denied funds.

“(2) proceeds from the sale of imagery intelligence or geospatial information items may be used only to purchase replacement items similar to the items that are sold; and

“(3) the authority provided by this subsection may not be used to acquire items or services for the principal benefit of the United States.

“(c) ACCOMMODATION PROCUREMENTS.—The authority under this section may be exercised to conduct accommodation procurements on behalf of foreign countries.

“(d) COORDINATION WITH DIRECTOR OF CENTRAL INTELLIGENCE.—The Director of the Agency shall coordinate with the Director of Central Intelligence any action under this section that involves imagery intelligence or intelligence products or involves providing support to an intelligence or security service of a foreign country.

“§ 444. Support from Central Intelligence Agency

“(a) SUPPORT AUTHORIZED.—The Director of Central Intelligence may provide support in accordance with this section to the Director of the National Imagery and Mapping Agency. The Director of the National Imagery and Mapping Agency may accept support provided under this section.

“(b) ADMINISTRATIVE AND CONTRACT SERVICES.—(1) In furtherance of the national intelligence effort, the Director of Central Intelligence may provide administrative and contract services to the National Imagery and Mapping Agency as if that agency were an organizational element of the Central Intelligence Agency.

“(2) Services provided under paragraph (1) may include the services of security police. For purposes of section 15 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 403o), an installation of the National Imagery and Mapping Agency that is provided security police services under this section shall be considered an installation of the Central Intelligence Agency.

“(3) Support provided under this subsection shall be provided under terms and conditions agreed upon by the Secretary of Defense and the Director of Central Intelligence.

“(c) DETAIL OF PERSONNEL.—The Director of Central Intelligence may detail personnel of the Central Intelligence Agency indefinitely to the National Imagery and Mapping Agency without regard to any limitation on the duration of interagency details of Federal Government personnel.

“(d) REIMBURSABLE OR NONREIMBURSABLE SUPPORT.—Support under this section may be provided and accepted on either a reimbursable basis or a nonreimbursable basis.

“(e) AUTHORITY TO TRANSFER FUNDS.—(1) The Director of the National Imagery and Mapping Agency may transfer funds available for that agency to the Director of Central Intelligence for the Central Intelligence Agency.

“(2) The Director of Central Intelligence—

“(A) may accept funds transferred under paragraph (1); and

“(B) shall expend such funds, in accordance with the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a et seq.), to provide administrative and contract services or detail personnel to the National Imagery and Mapping Agency under this section.

“§ 445. Protection of agency identifications and organizational information

“(a) UNAUTHORIZED USE OF AGENCY NAME, INITIALS, OR SEAL.—(1) Except with the written permission of the Secretary of Defense, no person may knowingly use, in connection with any merchandise, retail product, impersonation, solicitation, or commercial activity in a manner reasonably calculated to convey the impression that such use is approved, endorsed, or authorized by the Secretary of Defense, any of the following:

“(A) The words ‘National Imagery and Mapping Agency’, the initials ‘NIMA’, or the seal of the National Imagery and Mapping Agency.

“(B) The words ‘Defense Mapping Agency’, the initials ‘DMA’, or the seal of the Defense Mapping Agency.

“(C) Any colorable imitation of such words, initials, or seals.

“(2) Whenever it appears to the Attorney General that any person is engaged or about to engage in an act or practice which constitutes or will constitute conduct prohibited by paragraph (1), the Attorney General may initiate a civil proceeding in a district court of the United States to enjoin such act or practice. Such court shall proceed as soon as practicable to a hearing and determination of such action and may, at any time before such final determination, enter such restraining orders or prohibitions, or take such other action as is warranted, to prevent injury to the United States or to any person or class of persons for whose protection the action is brought.

“SUBCHAPTER II—MAPS, CHARTS, AND GEODETIC PRODUCTS

“Sec.

“451. Maps, charts, and books.

“452. Pilot charts.

“453. Prices of maps, charts, and navigational publications.

“454. Exchange of mapping, charting, and geodetic data with foreign countries and international organizations.

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

“456. Civil actions barred.

“SUBCHAPTER III—PERSONNEL MANAGEMENT

“Sec.

“461. Management rights.

“§ 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 Imagery and Mapping 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 Imagery and Mapping Agency.

“(b) BARGAINING UNITS.—The National Imagery and Mapping 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 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).

“(c) TERMINATION OF BARGAINING UNIT COVERAGE OF POSITION MODIFIED TO AFFECT NATIONAL SECURITY DIRECTLY.—(1) If the Director of the National Imagery and Mapping 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 Imagery and Mapping Agency may not be reviewed by the Federal Labor Relations Authority or any court of the United States.

“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;

“(B) mapping, charting, and geodetic data; and

“(C) geodetic products, as defined in section 455(c) of this title.”.

(b) TRANSFER OF DEFENSE MAPPING AGENCY PROVISIONS.—(1) Sections 2792, 2793, 2794, 2795, 2796, and 2798 of title 10, United States Code, are transferred to subchapter II of chapter 22 of such title, as added by subsection (a), inserted in that sequence in such subchapter following the table of sections, and redesignated in accordance with the following table:

Section transferred	Section as redesignated
2792	451
2793	452
2794	453
2795	454
2796	455
2798	456.

(2) Sections 451(1), 452, 453, 454, and 455 (in subsections (a) and (b)(1)(C)), and 456 of title 10, United States Code, as

transferred and redesignated by paragraph (1), are amended by striking out “Defense Mapping Agency” each place it appears and inserting in lieu thereof “National Imagery and Mapping Agency”.

(c) OVERSIGHT OF AGENCY AS A COMBAT SUPPORT AGENCY.—Section 193 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) by striking out the caption and inserting in lieu thereof “REVIEW OF NATIONAL SECURITY AGENCY AND NATIONAL IMAGERY AND MAPPING AGENCY.—”;

(B) in paragraph (1)—

(i) by inserting “and the National Imagery and Mapping Agency” after “the National Security Agency”; and

(ii) by striking out “the Agency” and inserting in lieu thereof “that the agencies”; and

(C) in paragraph (2), by inserting “and the National Imagery and Mapping Agency” after “the National Security Agency”;

(2) in subsection (e)—

(A) by striking out “DIA AND NSA” in the caption and inserting in lieu thereof the following: “DIA, NSA, AND NIMA”; and

(B) by striking out “and the National Security Agency” and inserting in lieu thereof “, the National Security Agency, and the National Imagery and Mapping Agency”; and

(3) in subsection (f), by striking out paragraph (4) and inserting in lieu thereof the following:

“(4) The National Imagery and Mapping Agency.”.

(d) CONSOLIDATION AND STANDARDIZATION OF EXEMPTIONS FROM DISCLOSURE OF ORGANIZATIONAL AND PERSONNEL INFORMATION.—Chapter 21 of title 10, United States Code, is amended by striking out sections 424 and 425 and inserting in lieu thereof the following:

“§ 424. Disclosure of organizational and personnel information: exemption for Defense Intelligence Agency, National Reconnaissance Office, and National Imagery and Mapping Agency

“(a) EXEMPTION FROM DISCLOSURE.—Except as required by the President or as provided in subsection (c), no provision of law shall be construed to require the disclosure of—

“(1) the organization or any function of an organization of the Department of Defense named in subsection (b); or

“(2) the number of persons employed by or assigned or detailed to any such organization or the name, official title, occupational series, grade, or salary of any such person.

“(b) COVERED ORGANIZATIONS.—This section applies to the following organizations of the Department of Defense:

“(1) The Defense Intelligence Agency.

“(2) The National Reconnaissance Office.

“(3) The National Imagery and Mapping Agency.

“(c) PROVISION OF INFORMATION TO CONGRESS.—Subsection (a) does not apply with respect to the provision of information to Congress.”.

(e) SPECIAL PRINTING AUTHORITY FOR AGENCY.—(1) Section 207(a)(2)(B) of the Legislative Branch Appropriations Act, 1993

(Public Law 102-392; 44 U.S.C. 501 note), is amended by inserting "National Imagery and Mapping Agency," after "Defense Intelligence Agency,".

(2) Section 1336 of title 44, United States Code, is amended—

(A) by striking out "Secretary of the Navy" and inserting in lieu thereof "Director of the National Imagery and Mapping Agency"; and

(B) by striking out "United States Naval Oceanographic Office" and inserting in lieu thereof "National Imagery and Mapping Agency".

10 USC 441 note. **SEC. 1113. TRANSFERS OF PERSONNEL AND ASSETS.**

(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) are transferred to the National Imagery and Mapping 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, 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. 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 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.

SEC. 1114. COMPATIBILITY WITH AUTHORITY UNDER THE NATIONAL SECURITY ACT OF 1947.

(a) **AGENCY FUNCTIONS.**—Paragraph (2) of section 105(b) of the National Security Act of 1947 (50 U.S.C. 403-5(b)) is amended to read as follows:

"(2) through the National Imagery and Mapping Agency (except as otherwise directed by the President or the National Security Council), with appropriate representation from the

intelligence community, the continued operation of an effective unified organization within the Department of Defense—

“(A) for carrying out tasking of imagery collection;

“(B) for the coordination of imagery processing and exploitation activities;

“(C) for ensuring the dissemination of imagery in a timely manner to authorized recipients; and

“(D) notwithstanding any other provision of law, for—

“(i) prescribing technical architecture and standards related to imagery intelligence and geospatial information and ensuring compliance with such architecture and standards; and

“(ii) developing and fielding systems of common concern related to imagery intelligence and geospatial information;”.

(b) NATIONAL MISSION.—Title I of such Act (50 U.S.C. 402 et seq.) is amended by adding at the end the following new section:

“NATIONAL MISSION OF NATIONAL IMAGERY AND MAPPING AGENCY

“SEC. 120. (a) IN GENERAL.—In addition to the Department of Defense missions set forth in section 442 of title 10, United States Code, the National Imagery and Mapping Agency shall support the imagery requirements of the Department of State and other departments and agencies of the United States outside the Department of Defense.

50 USC 404e.

“(b) REQUIREMENTS AND PRIORITIES.—The Director of Central Intelligence shall establish requirements and priorities governing the collection of national intelligence by the National Imagery and Mapping Agency under subsection (a).

“(c) CORRECTION OF DEFICIENCIES.—The Director of Central Intelligence shall develop and implement such programs and policies as the Director and the Secretary of Defense jointly determine necessary to review and correct deficiencies identified in the capabilities of the National Imagery and Mapping Agency to accomplish assigned national missions, including support to the all-source analysis and production process. The Director shall consult with the Secretary of Defense on the development and implementation of such programs and policies. The Secretary shall obtain the advice of the Chairman of the Joint Chiefs of Staff regarding the matters on which the Director and the Secretary are to consult under the preceding sentence.”.

(c) TASKING OF IMAGERY ASSETS.—Title I of such Act is further amended by adding at the end the following new section:

“COLLECTION TASKING AUTHORITY

“SEC. 121. Unless otherwise directed by the President, the Director of Central Intelligence shall have authority (except as otherwise agreed by the Director and the Secretary of Defense) to—

50 USC 404f.

“(1) approve collection requirements levied on national imagery collection assets;

“(2) determine priorities for such requirements; and

“(3) resolve conflicts in such priorities.”.

(d) **CLERICAL AMENDMENT.**—The table of contents in the first section of such Act is amended by inserting after the item relating to section 109 the following new items:

“Sec. 120. National mission of National Imagery and Mapping Agency.

“Sec. 121. Collection tasking authority.”.

10 USC 441 note. **SEC. 1115. CREDITABLE CIVILIAN SERVICE FOR CAREER CONDITIONAL EMPLOYEES OF THE DEFENSE MAPPING AGENCY.**

In the case of an employee of the National Imagery and Mapping Agency who, on the day before the effective date of this title, 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.

10 USC 441 note. **SEC. 1116. SAVING PROVISIONS.**

(a) **CONTINUING EFFECT ON LEGAL DOCUMENTS.**—All orders, determinations, rules, regulations, permits, agreements, international agreements, grants, contracts, leases, certificates, licenses, registrations, privileges, and other administrative actions—

(1) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in connection with any of the functions which are transferred under this title or any function that the National Imagery and Mapping Agency is authorized to perform by law, and

(2) which are in effect at the time this title takes effect, or were final before the effective date of this title and are to become effective on or after the effective date of this title, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary of Defense, the Director of the National Imagery and Mapping Agency or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) **PROCEEDINGS NOT AFFECTED.**—This title and the amendments made by this title shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before an element of the Department of Defense or Central Intelligence Agency at the time this title takes effect, with respect to function of that element transferred by section 1122, but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this title had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this section shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this title had not been enacted.

10 USC 441 note. **SEC. 1117. DEFINITIONS.**

In this subtitle, 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.

SEC. 1118. AUTHORIZATION OF APPROPRIATIONS.

Funds are authorized to be appropriated for the National Imagery and Mapping Agency for fiscal year 1997 in amounts and for purposes, and subject to the terms, conditions, limitations, restrictions, and requirements, that are set forth in the Classified Annex to this Act.

Subtitle B—Conforming Amendments and Effective Dates

SEC. 1121. REDESIGNATION AND REPEALS.

(a) REDESIGNATION.—Chapter 23 of title 10, United States Code (as redesignated by section 1112(a)(1)) is amended by redesignating the sections in that chapter as sections 481 and 482, respectively.

(b) REPEAL OF SUPERSEDED LAW.—Chapter 167 of such title, as amended by section 1112(b), is repealed.

SEC. 1122. REFERENCE AMENDMENTS.

(a) TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended as follows:

(1) CENTRAL IMAGERY OFFICE.—Sections 2302(a)(2)(C)(ii), 3132(a)(1)(B), 4301(1) (in clause (ii)), 4701(a)(1)(B), 5102(a)(1) (in clause (xi)), 5342(a)(1)(L), 6339(a)(1)(E), and 7323(b)(2)(B)(i)(XIII) are amended by striking out “Central Imagery Office” and inserting in lieu thereof “National Imagery and Mapping Agency”.

(2) DIRECTOR, CENTRAL IMAGERY OFFICE.—Section 6339(a)(2)(E) is amended by striking out “Central Imagery Office, the Director of the Central Imagery Office” and inserting in lieu thereof “National Imagery and Mapping Agency, the Director of the National Imagery and Mapping Agency”.

(b) OTHER LAWS.—The following provisions of law are amended by striking out “Central Imagery Office” and inserting in lieu thereof “National Imagery and Mapping Agency”:

(1) NATIONAL SECURITY ACT OF 1947.—Section 3(4)(E) of the National Security Act of 1947 (50 U.S.C. 401a(4)(E)).

(2) ETHICS IN GOVERNMENT ACT OF 1978.—Section 105(a) of the Ethics in Government Act of 1978 (Public Law 95-521; 5 U.S.C. App. 4).

(3) EMPLOYEE POLYGRAPH PROTECTION ACT.—Section 7(b)(2)(A)(i) of the Employee Polygraph Protection Act of 1988 (Public Law 100-347; 29 U.S.C. 2006(b)(2)(A)(i)).

(c) CROSS REFERENCE.—Section 82 of title 14, United States Code, is amended by striking out “chapter 167” and inserting in lieu thereof “subchapter II of chapter 22”.

SEC. 1123. HEADINGS AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—

(1) The table of chapters at the beginning of subtitle A of title 10, United States Code, is amended—

(A) by striking out the item relating to chapter 22 and inserting in lieu thereof the following:

“22. National Imagery and Mapping Agency 4
 “23. Miscellaneous Studies and Reports 4

and

(B) by striking out the item relating to chapter 1
 (2) The table of chapters at the beginning of part I
 such subtitle is amended by striking out the item relat
 to chapter 22 and inserting in lieu thereof the following:

“22. National Imagery and Mapping Agency 4
 “23. Miscellaneous Studies and Reports 4

(3) The table of chapters at the beginning of part IV
 such subtitle is amended by striking out the item relat
 to chapter 167.

(4) The items in the table of sections at the beginn
 of chapter 23 of title 10, United States Code (as redesigna
 by section 1112(a)(1)), are revised so as to reflect the redesi
 gations made by section 1121(a).

(b) TITLE 44, UNITED STATES CODE.—

(1) The heading of section 1336 of title 44, United Sta
 Code, is amended to read as follows:

**“§ 1336. National Imagery and Mapping Agency: spec
 publications”.**

(2) The item relating to that section in the tables of secti
 at the beginning of chapter 13 of such title is amended
 read as follows:

“1336. National Imagery and Mapping Agency: special publications.”

10 USC 193 note. **SEC. 1124. EFFECTIVE DATE.**

This title and the amendments made by this title shall t
 effect on October 1, 1996, or the date of the enactment of t
 Act, whichever is later.