

**§ 385.6 Authorities.**

A delegation of the administrative authorities required by the Director, DIA, to administer and direct the operations of the Agency is contained in § 385.7. In the performance of assigned responsibilities and functions, the Director, DIA, is specifically delegated authority to:

(a) Establish, operate and control all organizations and activities assigned to DIA.

(b) Assign tasks and issue instructions and guidance to DoD components as necessary to carry out the functions assigned herein and such additional functions as may be assigned. All such assignments and issuance to a Military Department shall be through the Secretary of Defense or his designee. For activities under the cognizance of the Joint Chiefs of Staff, the Director, DIA, shall function as the intelligence staff officer of the Joint Staff and assign tasks in accordance with procedures of the Joint Chiefs of Staff.

(c) Have free and direct access to and communication with DoD components, the U.S. Intelligence Community, and other executive departments and agencies as necessary.

(d) Obtain from any DoD component such information as may be necessary for the performance of assigned functions, subject to the provisions of DoD Directive 5000.19.<sup>2</sup>

(e) Enter into agreements on intelligence exchanges and cooperation with foreign military intelligence services as required to fulfill the DIA mission.

[42 FR 33734, July 1, 1977. Redesignated and amended at 58 FR 39360, July 22, 1993]

**§ 385.7 Delegation of authority.**

Pursuant to the authority vested in the Secretary of Defense, the Director, DIA, or, in the absence of the Director, his designee, is hereby delegated, subject to the direction, authority, and control of the Secretary of Defense, and in accordance with DoD policies, authority as required in the administration and operation of DIA to:

(a) Exercise the power vested in the Secretary of Defense by 5 U.S.C. 302

and 5 U.S.C. 3101 pertaining to the employment, direction and general administration of DIA civilian personnel.

(b) Fix rates of pay for wage rate employees exempted from the Classification Act by 5 U.S.C. 5102, on the basis of rates established under the Coordinated Federal Wage System. DIA, in fixing such rates, shall follow the wage schedule established by the DoD Wage Fixing Authority.

(c) Establish such advisory committees and employ such part-time advisers as approved by the Secretary of Defense for the performance of DIA functions pursuant to the provisions of 10 U.S.C. 173, 5 U.S.C. 3109(b), and the agreement between the DoD and the Civil Service Commission on employment of experts and consultants, dated March 14, 1975.

(d) Administer oaths of office incident to entrance into the Executive Branch of the Federal Government or any other oath required by law in connection with employment therein, in accordance with the provisions of 5 U.S.C. 2903(b) and designate in writing, as may be necessary, officers and employees of DIA to perform this function.

(e) Establish a DIA Incentive Awards Board and pay cash awards to and incur necessary expenses for the honorary recognition of civilian employees of the Government whose suggestions, inventions, superior accomplishments, or other personal efforts, including special acts or services, benefit or affect DIA or its subordinate activities in accordance with the provisions of 5 U.S.C. 4503 and applicable Civil Service Regulations.

(f) In accordance with the provisions of 5 U.S.C. 7532; Executive Order 10450, "Government Personnel Security Program," August 5, 1954; and 32 CFR part 156:

(1) Designate any position in DIA as a "sensitive" position;

(2) Authorize, in case of any emergency, the appointment to a sensitive position in the DIA for a limited period of time of a person for whom a full field investigation or other appropriate investigation, including the National Agency Check, has not been completed; and

<sup>2</sup> See footnote 1 to § 385.3.

(3) Authorize the suspension, but not terminate the services of, an employee in the interest of national security in positions within DIA.

(g) Clear DIA civilian personnel and such other individuals as may be appropriate for access to classified Defense material and information in accordance with the provisions of 32 CFR part 156 and Executive Order 11652, "Classification and Declassification of National Security Information and Material," March 8, 1972.

(h) Act as agent for the collection and payment of employment taxes imposed by chapter 21 of the Internal Revenue Code of 1954, as amended; and as such agent, make all determinations and certifications required or provided for under section 3122 of the Internal Revenue Code of 1954, as amended, and section 205(p) (1) and (2) of the Social Security Act, as amended (42 U.S.C. 405(p) (1) and (2)) with respect to DIA employees.

(i) Authorize and approve overtime work for DIA civilian officers and employees in accordance with the provisions of subchapter V, chapter 55, title 5, U.S. Code, and applicable Civil Service Regulations.

(j) Authorize and approve:

(1) Travel for DIA civilian employees in accordance with the Joint Travel Regulations, Volume 2, Department of Defense Civilian Personnel.

(2) Temporary duty travel for military personnel assigned or detailed to DIA in accordance with Joint Travel Regulations, Volume I for Members of the Uniformed Services.

(3) Invitational travel to persons serving without compensation whose consultive, advisory, or other highly specialized technical services are required in a capacity that is directly related to or in connection with DIA activities, pursuant to the provisions of 5 U.S.C. 5703.

(k) Approve the expenditure of funds available for travel by military personnel assigned or detailed to DIA for expense incident to attendance at meetings of technical, scientific, professional or other similar organizations in such instances when the approval of the Secretary of Defense or his designee is required by law (37 U.S.C. 412, 5 U.S.C. 4110 and 4111).

(l) Develop, establish, and maintain an active and continuing Records Management Program, pursuant to the provisions of section 506(b) of the Federal Records Act of 1950 (44 U.S.C. 3102).

(m) Establish and use imprest funds for making small purchases of material and services other than personal for DIA when it is determined more advantageous and consistent with the best interests of the Government, in accordance with the provisions of DoD Directive 5100.71,<sup>3</sup> "Delegation of Authority and Regulations Relating to Cash Held at Personal Risk Including Imprest Funds," March 5, 1973.

(n) Authorize the publication of advertisements, notices, or proposals in newspapers, magazines, or other public periodicals as required for the effective administration and operation of DIA (44 U.S.C. 3702).

(o) Establish and maintain appropriate Property Accounts for DIA, and appoint Boards of Survey, approve reports of survey, relieve personal liability, and drop accountability for DIA property contained in the authorized Property Accounts that has been lost, damaged, stolen, destroyed, or otherwise rendered unserviceable in accordance with applicable laws and regulations.

(p) Promulgate the necessary security regulations for the protection of property and places under the jurisdiction of the Director, DIA, pursuant to subsection III.A and V.B. of DoD Directive 5200.8,<sup>4</sup> "Security of Military Installations and Resources," July 29, 1980.

(q) Establish and maintain, for the functions assigned, an appropriate publications system for the promulgation of regulations, instructions, and reference documents, and changes thereto, pursuant to the policies and procedures prescribed in DoD Directive 5025.1,<sup>5</sup> "Department of Defense Directives System," October 16, 1980.

(r) Enter into support and services agreements with the Military Departments, other DoD components, or other Government agencies as required for

<sup>3</sup> See footnote 1 to § 385.3.

<sup>4</sup> See footnote 1 to § 385.3.

<sup>5</sup> See footnote 1 to § 385.3.

the effective performance of responsibilities and functions assigned to DIA.

(s) Exercise the authority delegated to the Secretary of Defense by the Administrator of the General Services Administration with respect to the disposal of surplus personal property.

The Director, DIA, may redelegate these authorities, as appropriate, and in writing, except as otherwise specifically indicated above or as otherwise provided by law or regulation.

(t) Enter into and administer contracts, directly or through another DoD Component or other Federal Agency, as appropriate, for supplies, equipment, and services required to accomplish the mission of the Defense Intelligence Agency. Contracting will be accomplished in accordance with applicable laws, DoD regulations and the Defense Acquisition Regulation. To the extent that any law or executive order specifically limits the exercise of such authority to persons at the Secretarial level of the Military Department, such authority will be exercised by the appropriate Under Secretary of Defense.

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## PART 386—CENTRAL IMAGERY OFFICE

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AUTHORITY: 10 U.S.C. 301 and E.O. 12333, 3 CFR, 1981 Comp., p. 200.

SOURCE: 57 FR 23157, June 2, 1992, unless otherwise noted. Redesignated at 58 FR 39360, July 22, 1993.

### § 386.1 Purpose and applicability.

(a) This part establishes a Central Imagery Office (CIO) within the Department of Defense to ensure that United States Government intelligence, mapping, charting and geodesy, and other needs for imagery are met effectively and efficiently in a manner conducive to national security,

consistent with the authorities and duties of the Secretary of Defense and the Director of Central Intelligence under title 10, U.S.C., E.O. 12333, and DoD Directive 5240.1.<sup>1</sup>

(b) This part applies to the Office of the Secretary of Defense; the Military Departments; the Chairman of the Joint Chiefs of Staff and the Joint Staff; the Unified and Specified Combatant Commands; the Defense Agencies; and DoD Field Activities.

### § 386.2 Mission.

The Central Imagery Office shall provide support to the Department of Defense, the Central Intelligence Agency, and other Federal Government departments and agencies on matters concerning imagery relating to the national security.

### § 386.3 Organization and management.

The Central Imagery Office is hereby established as a defense agency of the Department of Defense under 10 U.S.C. and is hereby designated as a combat support agency. The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence shall exercise overall supervision over the Central Imagery Office. The Central Imagery Office shall consist of a Director of the Central Imagery Office and such subordinate organizational elements, including the central imagery tasking authority required by § 386.5(a)(4), as the Director establishes within the resources made available.

### § 386.4 Responsibilities and functions.

The Director of the Central Imagery Office shall:

(a) Organize, direct, and manage the Central Imagery Office and all assigned resources.

(b) Manage the establishment of national imagery collection requirements consistent with guidance received from the Director of Central Intelligence under E.O. 12333.

(c) Ensure responsive imagery support to the Department of Defense, the Central Intelligence Agency, and, as appropriate, other Federal Government

<sup>1</sup>Copies may be obtained from the National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161.