DIRECTOR OF NATIONAL INTELLIGENCE
WASHINGTON, DC 20511

ES 2014-00696

MEMORANDUM FOR: Robert Cardillo
Director, National Geospatial-Intelligence Agency

SUBJECT: Classification and Marking of Imagery Derived from Space-based National Intelligence Reconnaissance Systems

REFERENCES: A. Executive Order 13526, *Classified National Security Information*
B. 32 CFR Section 2001.12(c)(3)
C. Executive Order 12951, *Release of Imagery Acquired by Space-based National Intelligence Reconnaissance Systems*
D. DEPSECDEF Memo OSD-04545-11, 5 May 2011 (Delegation of Original Classification Authority)
E. NGA Guide to Security Classification Marking
F. DoD Manual 5200.01, Volume 2, *Marking of Classified Information*, February 24, 2012
G. DNI Memo, E/S 00400, *Classification Marking of Imagery from Space-based National Intelligence Reconnaissance Systems*, 26 May 2010

In reviewing the process for classifying and declassifying imagery, subject matter experts from the Office of the Director of National Intelligence (ODNI) and National Geospatial-Intelligence Agency (NGA) recommended streamlining our procedures. I am approving this change forthwith. This change consists of separating imagery acquired from space-based national intelligence reconnaissance systems, including satellite positional data, into two bins: original image and image product (see Attachment 1 for definitions).

Accordingly, imagery acquired from space-based national intelligence reconnaissance systems and its satellite positional data will be classified by the Director, NGA as authorized by Deputy Secretary of Defense Memo OSD-04545-11, dated 5 May 2011.

Geospatial-Intelligence (GEOINT) products created from such imagery shall be classified derivatively in accordance with Executive Order 13526, *Classified National Security information*, 32 C.F.R. 2001.12(c)(3) and as depicted in Attachment 2.

This policy change requires that legacy image products be re-marked only when re-used or re-disseminated. Templates and classification marking tools shall be updated as required.

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Agency marking guidance should be updated to reflect this change and to ensure consistency with Intelligence Community (IC), Department of Defense, and Information Security Oversight Office (ISOO) marking policies and procedures.

DNI Memo, E/S 00400, *Classification Marking of Imagery from Space-based National Intelligence Reconnaissance Systems*, dated 26 May 2010, is hereby rescinded.

Attachment 1 defines "original" image and image "products." Attachment 2 provides examples of original and derivative classification authority blocks that shall be incorporated in agency marking guidance, templates, and tools used throughout the IC to ensure consistency.

This change is consistent with Executive Order 13526, *Classified National Security Information*, and preserves the DNI's exclusive role in declassifying such imagery pursuant to Executive Order 12951, *Release of Imagery Acquired by Space-based National Intelligence Reconnaissance Systems*, while enabling the overall process to be more responsive to future Freedom of Information Act requests for such imagery.

This change has been coordinated with the ISOO and the Office of the Under Secretary of Defense for Intelligence. The ODNI point of contact is Jennifer Hudson, ODNI Director of Information Management, ███████████. (b)(3)

James R. Clapper

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12 Nov 2014

Date

Attachments:
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2. Examples of Marking Classification Authority Blocks

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Director, National Declassification Center

ATTACHMENT 1 – Definitions

The key to identifying the proper classification and declassification authority for imagery lies in differentiating between imagery, as defined in Executive Order (EO) 12951, and image products which fall under EO 13526.

Original Image: EO 12951 defines imagery as "the product acquired by space-based national intelligence reconnaissance systems that provides a likeness or representation of any natural or man-made feature or related objective or activities and satellite positional data acquired at the same time the likeness or representation was acquired."[1] In these terms, imagery is limited to the primary imagery record (PIR), i.e., the original negative from obsolete film return satellite systems or the original digital record collected by near-real-time satellites, and the associated system location data (or metadata). The declassification authority for original imagery is the Director of National Intelligence (DNI), pursuant to EO 12951.

Image Product: Image products represent any derivative use of an entire PIR or portions of a PIR that exist in literal and non-literal formats.[2] Literal image products, derived from classified US national satellite imagery, are direct representations or copies from the original image and carry the classification of the original image unless additional classified information or processing techniques are added to the product that would force a change in classification. Examples include:
- Enlarged image products (e.g., NIBs, report graphics)
- Enhanced GEOINT Delivery (EGD)
- Ortho-rectified image mosaics (e.g., Controlled Image Base (CIB))
- Literal 3-D Visualizations
- Image City Maps (ICM)

A non-literal image product is any non-image representation derived from or including data from classified US national satellite imaging systems. These products can be graphic or statistical representations of information derived from the original image or PIR, such as maps and Special Image Graphics (SIGs).

The declassification authority for imagery products is the D/NGA, pursuant to EO 13526 and OCA delegation (Reference D).

Literal image products from space-based National Reconnaissance Systems that have not been declassified under EO 12951 must be safeguarded at the same classification level as the source of the product.

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[1] EO 12951, *Release of Imagery Acquired by Space-based National Reconnaissance Systems,* 22 February 1995.

[2] Not to be confused with Literal Imagery Derived Products (LIDPs), which are **not** direct representations or copies of the Primary Image Record (PIR) and must meet specific technical criteria to be used in an UNCLASSIFIED environment.

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ATTACHMENT 2 – Examples of Marking Classification Authority Blocks (not all inclusive)

a. Example of a classification authority block for an **original image** and associated locational metadata derived from space-based national intelligence reconnaissance systems:

> Classified By: Director, NGA
> Reason: 1.4(c)
> Declassify On: 25X1, EO 12951 (see Note 1)

b. Example of a classification authority block for **derivatively** classified GEOINT products:

> Classified By: 1234567 (name & position, or agency identifier)
> Derived From: *GEOINT SCG v1.1, 22 Feb 2008 (or latest version)
> Declassify On: **20391231 (current date plus 25 years)

OR

> Classified By: John King, NGA Sr. Analyst
> Derived From: *Multiple Sources
> Declassify On: **25X1, 20641231 (approved 25 year exemption)

> * 'Derived From' may contain additional classification sources; if 'Multiple Sources' are used, list all sources in the product bibliography.
> ** 'Declassify On' value(s) will depend on sources and methods and declassification exemptions authorized by the Information Security Classification Appeals Panel (ISCAP). Refer to the GEOINT Declassification Guide for a complete list of declassification exemptions.

Note 1: Declassification authority for original imagery acquired from spaced-based national intelligence reconnaissance systems rests with the DNI in accordance with EO 12951. This is accomplished through activities of the Historical Imagery Declassification Panel on a system-wide basis once the system has been declared obsolete by the DNI. The declassification of image products is delegated to the D/NGA. The declassification of any classified information revealed with or overlaid onto imagery products is governed by EO 13526 and the agency with equity.