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NSGM FA 1806



DOMESTIC IMAGERY

Revision 5

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*National Geospatial-Intelligence Agency
Office of International Affairs and Policy*

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NSGM FA 1806 REVISION 5 (U) DOMESTIC IMAGERY

Preface

(U) This Manual is issued under the authority of the *National System for Geospatial-Intelligence (NSG) Directive FA 1700, "Roles and Responsibilities of the National System for Geospatial Intelligence Functional Manager for Foreign Affairs and Disclosure and Release,"* dated April 2009. This Manual supersedes *NSGM CS 9400.07, Domestic Imagery, Revision 4,* dated August 2007 in its entirety.

(U) This Manual applies to members and partners of the National System for Geospatial-Intelligence (NSG) and is effective immediately.

(U) All substantive updates to the previous version are highlighted in red, bold type.

(U) Send recommended changes to this Manual through channels to:

Office of International Affairs and Policy
Imagery Disclosure and Release Division (OIPZ)
Mail Stop D-120
4600 Sangamore Road
Bethesda, MD 20816-5003

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1. (U) Introduction



2. (U) Purpose and Applicability

(U) Classified national reconnaissance platforms operate under the authority of the Director of National Intelligence (DNI) in his capacity as head of the Intelligence Community (IC). Accordingly, the national reconnaissance platforms operate under legal and policy limitations derived from the U.S. Constitution, Executive Order No. 12333, and the National Security Act of 1947 as amended, as well as other applicable law and policy directives.





3. (U) Definitions

(U) **Certifying Government Official** – (U) A U.S. Government employee in authority over the requesting individual (i.e., branch chief, chief of collections, requesting military organization, etc.) who will verify and remain accountable for the accuracy of the request. The official will ensure that the requested imagery and classified products derived there from are maintained subject to this policy and all other pertinent security controls.

(U) **Civil Organization** – (U) Organizations that comprise the Civil Applications Committee (CAC) and include: Department of the Interior, USGS, Department of Agriculture, Department of Commerce, Department of Energy, Department of Transportation, Federal Emergency Management Agency (FEMA), National Aeronautics and Space Administration (NASA), U.S. Army Corps of Engineers-TEC, U.S. Environmental Protection Agency (EPA), and the National Science Foundation (NSF). Also includes federal organizations such as the Department of Homeland Security (DHS) and the U.S. Coast Guard when not acting in a law enforcement role or as a branch of the Department of Defense.



(U) **Domestic Imagery Nomination (DIN)** – (U) The method of tasking via the Requirements Management System (RMS) the collection of domestic imagery in support of an approved Proper Use Memorandum (PUM) or Domestic Imagery Request (DIR).

(U) **Domestic Imagery Request (DIR)** – (U) The request for collection, processing, dissemination, exploitation, briefing, or publication of domestic imagery when

that need falls outside the scope of an approved PUM and is not a reflection of a change in an organization's mission. Generally reflects ad hoc requirements for domestic imagery. See example at Appendix A.

- (U) Intelligence Organizations – (U) Agencies within the Intelligence Community as follows: the Central Intelligence Agency (CIA); the National Security Agency (NSA); the Defense Intelligence Agency (DIA) (when not specific to a Unified Command); the National Reconnaissance Office (NRO), the National Geospatial-Intelligence Agency; the offices within the Department of Defense for the collection of specialized national foreign intelligence through reconnaissance programs; the Bureau of Intelligence and Research (INR) of the Department of State; the intelligence elements of the Army, Navy, Air Force, and Marine Corps, the Federal Bureau of Investigation (FBI), the Department of the Treasury, and the Department of Energy; the staff elements of the Director of Central Intelligence; and those elements of the Department of Homeland Security that are supervised by the Department's Under Secretary for Information Analysis and Infrastructure Protection through the Department's Assistant Secretary for Information Analysis, with the exception of those functions that involve no analysis of foreign intelligence information.
- (U) Law Enforcement Entities – (U) Agencies within the U.S. Government as follows: the Department of Justice (DOJ), Federal Bureau of Investigation (FBI), Drug Enforcement Agency (DEA), U.S. Marshals Service, Bureau of Alcohol, Tobacco, and Firearms (ATF), U.S. Customs Service, U.S. Secret Service, Internal Revenue Service, and U.S. Coast Guard (when the requirement reflects its law enforcement mission versus its mission as a civilian organization or its mission as a member of the Department of Defense).
- (U) Military Organizations – (U) the United States Air Force, Army, Navy, Marines, and any of the Unified Combatant Commands (via DIA). It can also include the U.S. Coast Guard when the mission dictates.
- (U) National Reconnaissance Platforms – (U) Those intelligence-imaging platforms that are under the purview of the DNI, either directly or indirectly, through delegation of authority. This includes space-borne and certain airborne platforms.
- (U) Proper Use Memorandum (PUM) – (U) A memorandum signed annually by an organization's Certifying Government Official. The imagery user organization will submit this Proper Use Memorandum (PUM) annually that defines their requirements, intended use, and contains a proper use statement which acknowledges their awareness of the legal and policy restrictions regarding domestic imagery. See example at Appendix B, C, and D.
- (U) Proper Use Memorandum (PUM) Amendment – (U) The identification of and request for change to an approved PUM when the mission of the organization changes.

(U) U.S. person – (U) A U.S. citizen, an alien known by the intelligence agency considered to be a permanent resident alien, an unincorporated association substantially composed of U.S. citizens or permanent resident aliens, or a corporation incorporated in the United States, except for a corporation directed and controlled by a foreign government or governments.

4. (U) Authority

(U) Under the National Security Act of 1947 as amended, Executive Order No. 12333, Executive Order 12951, and Presidential Decision Directive 49, the DNI is the designated authority to approve policy concerning the collection, use, handling, and application of domestic imagery from national reconnaissance platforms.



5. (U) Responsibility

(U) NGA's Office of International Affairs and Policy (NGA/OIP) coordinates legal review and provides specific and overall policy guidance, oversight, and approval of PUM, DIR and DIN requests as appropriate.

(U) NGA's Office of General Counsel (NGA/OGC) supports the process by reviewing PUMs/DIRs to ensure they comply with applicable constitutional and statutory protections and restrictions, various requirements set forth in Executive Order No. 12333, the legal authority of the DNI, and other legal or organizational directives and policies that limit or otherwise govern the scope of intelligence activities occurring in the United States. It may also review DINs that NGA/S and/or NGA/OIP believe may not be in accordance with these protections and restrictions.

(U) Per direction of the DNI, the NGA/OGC shall review and concurrence is required on any PUM, DIR, or DIN that fall within the following six categories:

- (U) Analyzing the activities of U.S. Persons. The imagery sought is requested or reasonably expected to reveal information about the activities of U.S. persons or other persons in the United States, and the activities of those persons are relevant to the request.
- (U) Support to law enforcement. The imagery is for a law enforcement organization or purpose, or the imagery could reasonably be expected to support or become involved in

law enforcement or judicial proceedings. Supporting any law enforcement organization or other U.S. agency/department, performing statutory and authorized regulatory law enforcement functions, requesting the collection, analysis, or dissemination of information concerning the activities of U.S. persons.

- (U) Regulatory enforcement. The imagery is to support a regulatory enforcement organization or purpose, or could reasonably be expected to support or become involved in regulatory enforcement proceedings.
- (U) Disclosure of sensitive sources and methods. Whether or not for a law enforcement or regulatory purpose, the anticipated use of the imagery is likely to result in a request to disclose classified sources and methods or presents a risk of unapproved disclosure of such sources and methods.
- (U) Invasion of privacy. The nature of the imagery to be collected or used could reasonably be considered intrusive or could reasonably be considered to raise privacy issues. For example, this includes all requests for imagery directed at a single private property in the United States without the owner's consent.
- (U) Other. The PUM, DIR, or DIN or their amendment otherwise raises novel or significant legal or policy issues.

(U) After appropriate policy, legal, and technical review, NGA's Source Operations and Management Directorate (NGA/S) tasks the systems in accordance with the National Intelligence Priorities Framework (NIPF) on behalf of the requester and ensures distribution to all authorized customers.

6. (U) Domestic Imagery Requesters and Users

(U) Requesting organizations shall:

- (U) Shall submit PUM requests on agency letterhead to NGA/OIP via a single designated office for domestic imagery processing within the requester's organization. Each organization will identify an internal office that shall act as the single point of contact with NGA, and will submit all domestic requests through that office. The requesting agency's office will review all PUMs and DIRs before submission and request to ensure that each have a unique originator identification number. NGA elements will contact NGA/Source Americas, North America Branch (SOAN) for the assignment of an identification number for each PUM or DIR.
- (U) Ensure that information in the memorandum is clear and unambiguous, providing justification for the collection and the intended use of domestic imagery. Clarity is essential to provide the necessary transparency to demonstrate compliance with intelligence oversight, and to enable NGA/S to readily compare the scope of a DIN to the PUM, without constantly consulting with NGA Legal or Policy offices.

- (U) Comply with the legal and policy concerns and limitations associated with domestic imagery, particularly the imaging or exploitation of private property.
- (U) Ensure that Government contractors are aware of the legal and policy concerns related to domestic imagery, and that the access to and use of domestic imagery is in accordance with the terms of a specific contract.
- (U) Coordinate with all appropriate user organizations before submission of a PUM, PUM amendment, DIR, or DIN.
- (U) Comply with all domestic imagery storage requirements. NGA elements must follow proper handling and storage requirements for both classified and unclassified imagery.

(U) Intelligence Community (IC)

(U) The IC's use of domestic imagery should be limited in accordance with Executive Order No. 12333 and the National Security Act of 1947, as amended. Since the IC has a foreign intelligence mission, domestic imagery should be used only when there is a justifiable need to do so.

(U) At the request of other Federal agencies, IC organizations may assist various Federal agencies using domestic imagery for non-intelligence issues pursuant to the Economy Act, 31 U.S.C. 1535, or other specific legal authority. When IC agencies assist Federal civil organizations with collection, exploitation, or other technical support, the agencies should ensure adherence to the original intended use and purposes of the domestic collection.

(U) Military

(U) Military requesters of classified domestic imagery will follow the policy and procedures as outlined in this paragraph except for imagery of military property used for military purposes, such as an exercise. Special policy has been established to meet those needs and is addressed in Subsection 10 of this policy document.

(U) CONUS Command Domestic Imagery Procedures –

- (U) Command Collection Managers (CCM) will notify the Defense Intelligence Agency (DIA) Domestic Requirements Command Representative of the intention to collect. This is accomplished via the Requirements Management System (RMS) Telegrams, email, secure phone, or standard secure email.
- (U) DIA will communicate with the CCM to determine the extent of the collection strategy. The needed information discussed for the collection strategy is:
 - (U) Type of sensor (i.e., sensor specific);
 - (U) Identify the collection strategy (i.e., collection constraints, periodicity, image quality, etc.);
 - (U) Dates of collection;

- o (U) Identify the targets (i.e., size, coordinates etc.);
- o (U) Type of property (i.e., Federal, Military, State, Municipal, or Private);
- o (U) Organizations to receive and/or process the imagery.

- [REDACTED]
- (U) The DIA Command Rep will, with the information from the CCM nomination and through communication with the CCM, create and submit for approval the Proper Use Memorandum (PUM).
- (U) The DIA Command Rep will coordinate, at the behest of the CCM, with NGA-S, NGA/OIP and other Intelligence Community members, as required.
- [REDACTED]
- [REDACTED]

(U) Committee for Civil Applications of Classified Overhead Photography of the United States

(U) Civil Federal departments and agencies outside the IC may be provided classified satellite imagery, as appropriate, through the interagency Committee for Civil Applications of Classified Overhead Photography of the United States (also known as the Civil Applications Committee or the CAC). The CAC charter revision in 2000 expanded source exploitation to include all overhead remotely-sensed data, no longer limiting the CAC sponsored agencies to classified imagery.

(U) Since 1975, per Presidential direction, the CAC reviews, prioritizes, and transmits requests by civil agencies for the collection and analysis of classified imagery. Before a civil Federal agency may request domestic or foreign imagery for non-intelligence purposes, the chair of the CAC or the chair's representative must approve the request.

(U) The CAC will provide, on an annual basis, a PUM for each CAC support agency. These PUMs will be held on file for justification of DINs submitted by the CAC.

¹(U) The CAC, chaired by the USGS, is composed of representatives from the Departments of Interior, Energy, Agriculture, Commerce, Transportation, as well as representatives from the Environmental Protection Agency (EPA), the National Aeronautical and Space Administration (NASA), the National Science Foundation (NSF), the Federal Emergency Management Agency (FEMA), and the Department of Homeland Security (DHS), the US Army Corps of Engineers -FEC, and the US Coast Guard when not acting in a law enforcement role or as a branch of the Department of Defense.

(U) Government Contractors

(U) The contract-monitoring federal agency is responsible for guaranteeing appropriate access to and use of domestic imagery by contractors. Government contractors are not authorized to request domestic imagery for their own purposes or to sign PUMs, DIRs, or DINs. Contractors should use domestic imagery only when they have the appropriate clearance level and a "need to know" for the performance of a specific contract for a federal agency. Any request for imagery to be used by a Government contractor must come from the appropriate federal agency responsible for the contract.

(U) Other Users

(U) Other programs sponsored by federal agencies and associated with special nontraditional projects may be provided classified domestic satellite imagery in accordance with guidance from the DNI. These programs must also follow the established PUM procedures.

7. (U) Domestic Imagery Use Policy

(U) General Policy

(U) The use of classified domestic national reconnaissance imagery and OPIR may be granted to the requester by the approval of a PUM that justifies the request and commits an organization to the proper use of domestic imagery. Approval of a PUM, however, does not constitute approval under the DNI's Imagery Derived Products (IDP) policy. Nor does approval of an IDP request authorize domestic collection or use.

(U) PUMs are generally approved for only one year, requestors are required to track expiration dates and submit annual renewals. To streamline the PUM process NGA OIP and OGC allow the submission of renewals 60-days prior to the expiration of the existing PUM. This will help ensure that there is a seamless transition from one to the next (e.g. CY2009 PUM to CY2010 PUM).

(U) If a PUM expires without a renewal, the requesting organization's access to domestic imagery will be denied and any hard or softcopy holdings must be purged from the organization's holdings. Extensions can be granted; however, they are CASE-BY-CASE EXCEPTION to policy and should not be used as a stop-gap for failing to submit the necessary annual renewal in a timely manner.

(U) NGA may, at any time, suspend or rescind a requestor's PUM for failure to follow intelligence oversight, this policy document or the written guidance from NGA's Legal or Policy Offices.

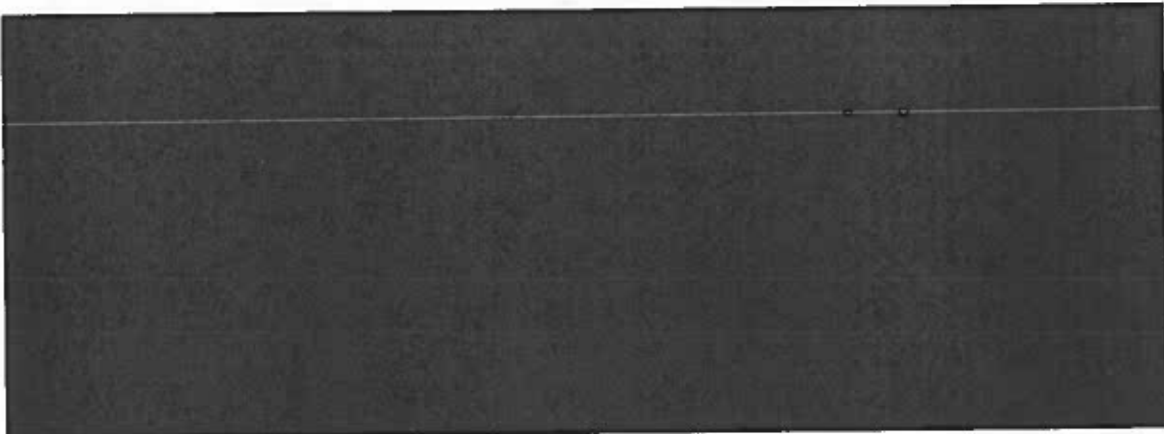
(U) Distribution of domestic imagery to parties other than those identified in the approved PUM is prohibited. The addition of exploiters or recipients to the original PUM is accomplished by submitting an amendment request to NGA/OIP.

(U) When an organization has an approved PUM on file and its mission changes such that there is an additional requirement for domestic imagery, the organization must send an amendment to

its PUM to NGA/OIP. NGA/OIP will conduct a policy review and if required, coordinate with OGC for the legal review and concurrence prior to granting approval. Once approval is granted tasking and collection may be initiated to satisfy the new requirement.

(U) When an organization has an ad hoc requirement for domestic imagery that is not covered by an approved PUM but is not a result of a mission change, the organization must submit a DIR to NGA/OIP to initiate the policy and legal review necessary to obtain approval. Once approved, tasking and collection to satisfy the ad hoc requirement can commence.

(U) A request for domestic imagery of private property, including corporate, state, and municipally owned² property, may require written permission in the form of a letter of consent from the owner or occupant or authorized official representing the owner or occupant. It is the responsibility of the requestor to obtain the letter consent. Once obtained this signed authorization must be sent to NGA/OIP and NGA/S for tasking collection to be approved. Appendices E and F contain example paragraphs suitable for requesting permission. Contact NGA/OIP for guidance before proceeding.



(U) Briefings and Publications

(U) Domestic imagery used in publications or briefings may not be used for any purpose other than that for which it was originally requested.

(U) The use of domestic imagery in briefings and publications may require additional review if the audience goes beyond the scope of the approved PUM. Where possible, the PUM should state whether the imagery will be used in briefings or publications and identify the likely audiences.

(U) Once a military organization has received authorized domestic imagery of military property, the imagery may be used in briefings, publications, and other analytical products as long as the

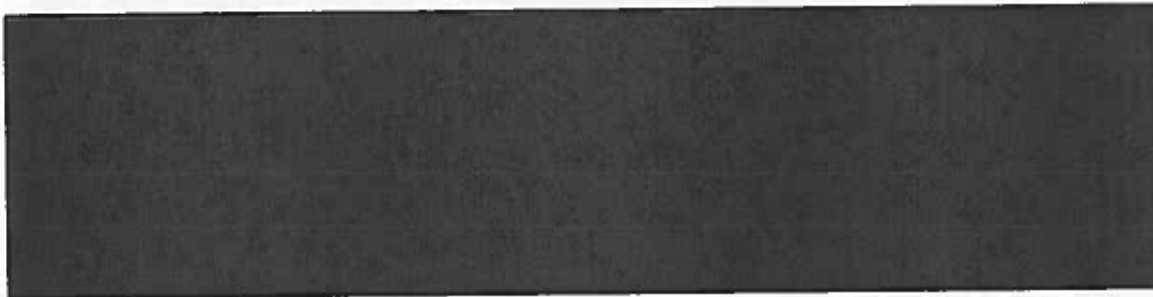
² (U) State sovereignty should be respected. If a specific exploitation requirement requires coverage of municipal or State owned property. (for example Lafayette Square Park, St. Louis, MO), then the requestor must obtain a letter of consent from the appropriate State or Municipal official with authority to sign for that specific location (using the St. Louis example, the letter is signed by the Commissioner of Parks).

military organization ensures that the proposed use is in accordance with the purpose for which that imagery was originally collected or requested. For example, a training publication containing domestic imagery of military property distributed within a limited military training or exercise environment would be appropriate. Distribution of the publication throughout the military or the IC without prior approval would be inappropriate.

(U) A valid PUM or DIR must be on file before submitting a request to publish text or domestic imagery obtained from classified national reconnaissance platforms. NGA elements must have valid PUM or DIR to publish text or domestic imagery regardless of source.

(U) Tasking Collection

(U) Approval of a PUM does not guarantee collection. The usual procedures for collection tasking must be followed.



(U) Each organization is responsible for ascertaining and complying with any restrictions that may limit or preclude collection of imagery of a sensitive Federal target.

(U) Exploitation



(U) The fact that domestic imagery exists in historical files or file servers does not constitute authorization to exploit or to use it for any purpose.

(U) A requesting organization must clearly communicate within its PUM who the exploitation entities are, if different from the requesting organization.

(U) Each organization is responsible for ascertaining and complying with any restrictions that may limit or preclude exploitation of imagery of a sensitive Federal target.

³ (U) Approved PUMs are posted on JWICS via the NGA/OIP homepage.

(U) Electronic Storage and Dissemination

(U) **Normal Procedures:** Unless otherwise approved, domestic imagery must be withheld from all general access database systems (for example, Intelink).

(U) Controlled or limited access share folders or drives, password protected web sites, password protected portals, and email distributions to authorized individuals are acceptable means for disseminating or providing access of domestic imagery to authorized users, provided applicable security and classification requirements are met. The intent is to provide a reasonable assurance that the entire user group on a general access web system (e.g. Intelink, SIPRNet) cannot access domestic imagery without an appropriate authorization or control measure. Access must be limited to those with a need to know. For additional clarification on this policy and these options, please contact NGA/OIPZ.

(U) D/NGA may authorize waivers to these control measures (e.g. open posting on SIPRNet splash pages) during times of national crisis or emergency on a case-by-case basis. Requests for this authorization can be directed to NGA/OIPZ.

(U) Approved recipients of domestic imagery must meet the following criteria if they intend to store the domestic imagery approved by a PUM or DIR on an information system. First, the domestic imagery may only be stored on information systems of approved recipients. Second, the approved recipients who store domestic imagery must ensure that it is properly monitored for the approved period and that it is removed upon expiration of the approved period. Third, the cognizant security office must certify that the domestic imagery is being stored on an information system that is certified and accredited under ICD 503 and that access to the domestic imagery is restricted to only the approved recipients.

(U) Any imagery needed for long-term use should be returned to the originator's file server archive and secured from general access. Original requesters may store domestic imagery electronically provided access is restricted to authorized users.



(U) Procedures for posting classified domestic imagery to general access systems:

(U) Organizations can apply for authorization to post classified domestic imagery to general access systems and websites (standard classification and electronic security measures apply). These requests are reviewed by NGA/OIPZ and NGA/OGC on a case-by-case basis.

- (U) Application for approval will follow the PUM format (NGA/OIPZ is responsible for providing support to requestors in developing the appropriate content).

- (U) General access approvals will only be granted for one year, after which they will have to be resubmitted.
- (U) Requestors will have to provide justification on why all the members of the general access website or system should have access to the domestic imagery.

(U) To openly post classified domestic imagery to general access websites, requestors will have to meet the following criteria:

- (U) Have a valid PUM or DIR on file with NGA/OIP.
- (U) Have their formal request to post classified domestic imagery to general access websites approved by NGA/OIPZ and NGA/OGCM.
- (U) Implement electronic and other measures to ensure that a “use caveat” is attached to the classified domestic imagery. The use caveat must be present regardless of media format (digital, projection, hard copy, etc):

(U) This domestic imagery may only be used IAW a valid Proper Use Memorandum approved by NGA. This imagery may be used for law enforcement authorities only IAW applicable law, may not target U.S. persons, and may not be used for regulatory action. Removal of this caveat is prohibited. Questions can be addressed to NDRO@nga.nsen.nga.smil.mil (SIPRNet) or NDRO@nga.ic.gov (JWICS).

- (U) Requestors are encouraged to contact NGA/OIPZ prior to formally submitting general access authorization to review how the use caveat will be implemented. Organizations may also request to include more restrictive instructions in their use caveat (e.g. only to be used for disaster response, or counter-intelligence, or vulnerability assessments, etc).

(U) Security Policy




(U) The fact that “photoreconnaissance assets can be used to image the United States and its territories and possessions” is UNCLASSIFIED.



8. (U) Special Applications of Domestic Imagery

(U) Geospatial (Mapping)



(U) Geospatial data and products are defined as representations of the Earth's surface showing manmade and natural features in their correct positions relative to a specific or implied coordinate reference system. Geospatial data includes both literal (Controlled Image Base, photomap) and non-literal or graphic imagery-derived products (maps, charts, and sketches) as well as computerized, digital, or geodetic data formats (Digital Terrain Elevation Data, ARC Digitized Raster Graphics) that describe or characterize specific features on the surface of the Earth.

(U) Law Enforcement

(U) Generally, classified domestic imagery may not be used in direct support of domestic law enforcement activities.

(U) Organizations will seek appropriate NGA Office of General Counsel (NGA/OGC) legal reviews before requesting use of domestic imagery or OPIR in support of law enforcement or regulatory activities. Use of classified GEOINT information for investigations or during actual law enforcement action may present a national security risk if the classified sources and methods are subject to discovery or disclosure in criminal or civil proceedings.


(U) Policy guidance detailing permissible support to federal law enforcement agencies currently remains in coordination. All requests are reviewed on a case-by-case basis and involve close coordination with NGA/OGC.

(U) Domestic Disaster Assessment

(U) Requesting classified domestic imagery to support man-made or natural disasters is carried out at the request of federal civilian agencies by the IC pursuant to the Economy Act or the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Utilizing the established PUM procedures and their inherent efficiencies for domestic collection eliminates the need for

submission and coordination for each event. However, any unforeseen exceptions can be addressed via telephone or other expedient means with the DIR or PUM amendments to follow as soon as possible.

(U) Under the Stafford Act, the Federal Emergency Management Agency (FEMA), representing the needs of Federal Response Plan participants, may request classified domestic imagery collection after coordinating with the CAC. Other Federal civil agencies having missions for specific disaster response or environmental research for disaster prevention may also request classified domestic imagery through the authority of the CAC.



(U) Other than safeguarding its own facilities and installations, the IC has no domestic disaster mission, but may provide appropriate support under the Economy Act or other applicable statutory authority when asked to participate by Federal civil agencies.

(U) Commercial Imagery

(U) Domestic imagery from commercial systems does not fall under the authorities of the DNI, and therefore the use of this domestic open source imagery will be dependent upon the authorities and the responsibilities of each user organization. However, organizations within the IC are reminded that they are still governed by the legal and policy constraints that have been stated previously. Each user organization within the IC should be cautious in the collection and use of commercial satellite imagery to avoid the appearance of violating any previously stated legal or policy concerns. In that light, NGA requires PUMs/DIRs for all NGA personnel who request and exploit new or archived domestic commercial imagery. For external, non-NGA organizations, PUMs/DIRs are not generally required to request or exploit domestic commercial imagery unless NGA purchases new commercial imagery directly for the external organization or the external organization requires NGA value-added analysis conducted on the new or archived domestic commercial imagery. When accessing archived domestic commercial imagery all DoD and IC elements are reminded that the onus of compliance with intelligence oversight and other applicable laws/regulations is upon the agency accessing the imagery.

9. (U) Domestic Imagery Approval Procedures—Routine

(U) Imagery user organizations will submit a Proper Use Memorandum (PUM) annually (on agency letterhead) that provides their clear and unambiguous requirements for domestic imagery, the intended use, and a proper use statement which acknowledges their awareness of the legal and policy restrictions regarding domestic imagery.

(U) NGA/OIP and OGC will review all submissions based on stated intended use and verify that the intended use falls within the categories described below and the required proper use, handling and storage language is present. If the intended use is consistent with categories listed below, the organization's mission, and do not conflict with legal or policy limitations on the use of domestic imagery, the PUM is normally approved for a period of one year.

(U) If the approved categories are not present in the PUM or the submission is ambiguous, NGA/OIP and OGC will contact the requesting organization to discuss their requirements. NGA/OIP and OGC will advise the requesting organization of all legal and policy requirements and will offer assistance in drafting the appropriate language that will meet NGA requirements.

(U) All approved PUMs will be provided to NGA/S for collection control. Domestic Imagery Nominations (DINs) for collection, distribution, and receipt of new as well as archived imagery are subject to the conditions of the approved PUM.

(U) A statement of intended use is an integral part of the PUM and identifies a user's requirement for domestic imagery within the stated mission of their organization. Clarity is essential to provide the necessary transparency to demonstrate compliance with intelligence oversight, and to enable NGA/S to readily compare the scope of the DIN to the PUM, without constantly consulting with NGA Legal or Policy offices. NGA/OIP and OGC will review this memorandum based on defined criteria. The criteria are:

1. (U) Natural or Man-made Disasters. Requirements to target locations in support of government planning for, emergency response to, or recovery from events such as tornadoes, hurricanes, floods, mudslides, fires, oil-spills, chemical-spills and other natural or man-made disasters.
2. (U) Counter Intelligence, Counter Terrorism and Security-Related vulnerability assessments. Requirements in support of critical infrastructure analysis on federal property or private property where consent has been obtained as appropriate.
3. (U) Environmental Studies. Requirements in support of studies of wildlife, geologic features, or forestation, or similar scientific, agricultural, or environmental studies not related to regulatory or law enforcement actions.
4. (U) Exercise, Training, Testing, or navigational purposes. Requirements for imagery coverage of property for used by the IC, Military, or Civil agencies solely in the conduct of exercises, training, testing or for navigational purposes.
5. (U) Systems Testing, Engineering, Research and Development. Requirements for imagery coverage in support of system or satellite calibration, satellite pre-launch and post launch contingency operations, algorithm or analytic development and training or weapons systems development or training.

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(U) Should the intended use not fall within one of these five categories, NGA/OIP and NGA/OGC will review such PUMs on a case-by-case basis to determine if approval is appropriate.

(U) The following electronic storage and proper use statement must be included within the PUM or DIR. The proper use statement must follow the electronic storage paragraph and appear immediately before the designated point of contact.

(U) Approved recipients of this domestic imagery must meet the following criteria if they intend to store the domestic imagery approved by this PUM on an information system. First, the domestic imagery may only be stored on information systems of approved recipients. Second, the approved recipients who store domestic imagery must ensure that it is properly monitored for the approved period and that it is removed upon expiration of the approved period. Third, the cognizant security office must certify that the domestic imagery is being stored on an information system that is certified and accredited under ICD 503 and that access to the domestic imagery is restricted to only approved recipients. Any request to further disseminate imagery products produced under this PUM will require an amendment or separate proper use approval.

(U) I certify that the intended collection and use of the requested information, materials, and imagery derived from classified and unclassified overhead systems are in support of congressionally approved programs of (requesting organization) and not in violation of applicable laws, including the statutory authority of (organization). The request for imagery is not for the purpose of targeting any specific U.S. person nor is it inconsistent with the constitutional and other legal rights of U.S. persons. Applicable security regulations, guidelines, and other restrictions will be followed.

(U) The proper use statement may be modified to identify the specific type of collection being required. For example, if an element is requesting only classified imagery, they would remove "and unclassified" from the paragraph.

(U) The request memorandum must be dated and signed by a responsible government official of the requesting organization.

(U) NGA/S will have the authority to verify and approve all DINs consistent with NGA/OIP and OGC approved PUMs. Verification will be based upon and in accordance with guidelines developed by NGA/OIP and OGC that are encompassed in this document and the National System for Geospatial Intelligence Manuals.

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(U) NGA/OIP provides annual review and training sessions on current policy issues at NGA training facilities. Upon request NGA/OIP will work with internal and external requestors to facilitate training at their locations. (For example, USPACOM HQ, JFCOM HQ, USNORTHCOM HQ, etc.)



Step 1. (U) Identify that the area of collection and area of analytical interest are domestic imagery.

Step 2. (U) Check that the PUM is on file from the requesting organization. If present, proceed to Step 3. If not, contact NGA/OIP for coordination. NGA/OIP will coordinate with the customer and, as appropriate, NGA/OGC.



Step 4. (U) Approval can be granted for collections that match the criteria outlined in the PUM.

10. (U) Domestic Imagery Approval Procedures—Military User and Military Property Only

(U) This Subsection applies only to classified domestic imagery of military property, federally owned or leased⁴, used for a U.S. military or related national security purpose, and requested by a military user. All other property, uses, and users must follow the routine PUM procedures and guidelines outlined in Subsections 1 through 9 above.



⁴ (U) In this context, “federally leased property” means exclusive possession and control of the property has been or is conveyed to the Federal Government for a definite period of time. See 48 C.F.R. § 570.102 (Lexis 2004).

⁵ (U) The original memorandum is to remain a part of the organization’s historical records and could at any time be requested for examination. Should a legal challenge be made or a review of records be requested, an organization may be required to produce this record of original intent.

(U) Contents of Military Proper Use Memorandum



- (U) A certification of the following six points:



(2) (U) That the requested imagery, whether new or historical, is requested for a military or related national security purpose.

(3) (U) That the proposed collection will not target any U.S. non-military activities, facilities, U.S. person, or any private property, and that any such collection will occur only incident to imaging the target property that is under the control of a U.S. military organization.

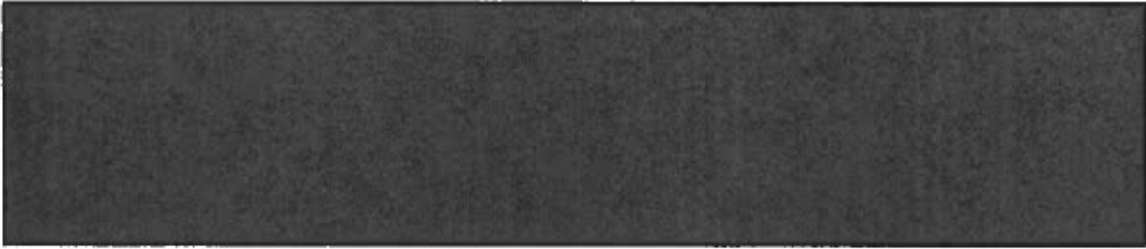
(4) (U) That non-military activities either on the targeted U.S. military property or on incidentally-acquired U.S. non-military property will not be exploited.

(5) (U) That the request is not made on behalf of, and that the requesting entity will not provide the requested imagery to, any Federal, state, or local law enforcement agency.

(6) (U) That the requested imagery and any classified imagery-derived products created will be made available only to appropriately cleared and authorized personnel.

- (U) Identification of the target area of interest.⁶
- (U) The requester's purpose (what military or national security purpose).
- (U) The "proper use" paragraph.
- (U) The "I am authorized" paragraph (see appendix G).
- (U) The signature of a certifying official.





(U) Responsibilities

(U) Because of the sensitive nature of domestic imagery, the requesting organization may not provide imagery or any imagery-derived products obtained under these guidelines to any other organization except under all of the following conditions:

- (U) The requesting/receiving organization is also a U.S. military entity (e.g., the U.S. Coast Guard; the National Guard units federalized and acting under Title 10 authority).
- (U) The proposed secondary distribution of the requested imagery is in accordance with the purpose for which that imagery was originally collected or requested. If the proposed secondary distribution does not meet these criteria, authorization must be sought under the existing procedures.
- (U) The original requester has updated the record of its original request to reflect the recipients of all secondary distribution of the imagery requested under these procedures.

(U) Military organizations with a requirement to release classified imagery of domestic training ranges to foreign military personnel must first coordinate with NGA/OIP. Requesting units must send an official memo to NGA/OIP detailing the requirement to disclose or release domestic imagery. At a minimum, the memo must include:

- (U) the unit's mission;
- (U) the specific reason driving the need to disclose or release domestic imagery
- (U) the type of imagery;
- (U) the recipients of the imagery (to include, nationalities, numbers, and when possible individual names); and
- (U) the duration of the event driving the requirement.

(U) The requesting unit must also attach a list identifying specific images to be disclosed or released. For standing requirements such as long-term exchange officers, approval can be granted for no longer than one year at which time the requirement must be revalidated. For

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NSGM FA 1806 REVISION 5 (U) DOMESTIC IMAGERY

further guidance on the use of imagery in a training or exercise environment, refer to the NSGM for Foreign Releases and Disclosures (NSGM FA 1804).

11. (U) Contact Information

(U) Contact NGA/OIP via NDRO@nga.ic.gov if you need a courier address for sensitive compartmented information.

(U) Classified and unclassified mailing address, up to Secret, via registered mail: NGA/OIP, Mail Stop D-120, 4600 Sangamore Road, Bethesda, MD 20816-5003.

(U) NGA/OIP secure fax is (301) 227-4907/3201; DSN prefix is 287. Secure number is 575-0292.

(U) Questions or scanned copies of the originally signed PUMs may be emailed via JWICS: NDRO@nga.ic.gov, SIPRNET: NDRO@nscn.nga.smil.mil or NIRPNET: NDRO@nga.mil.

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NSGM FA 1806 REVISION 5 (U) DOMESTIC IMAGERY

Appendix A. (U) Sample Domestic Imagery Request

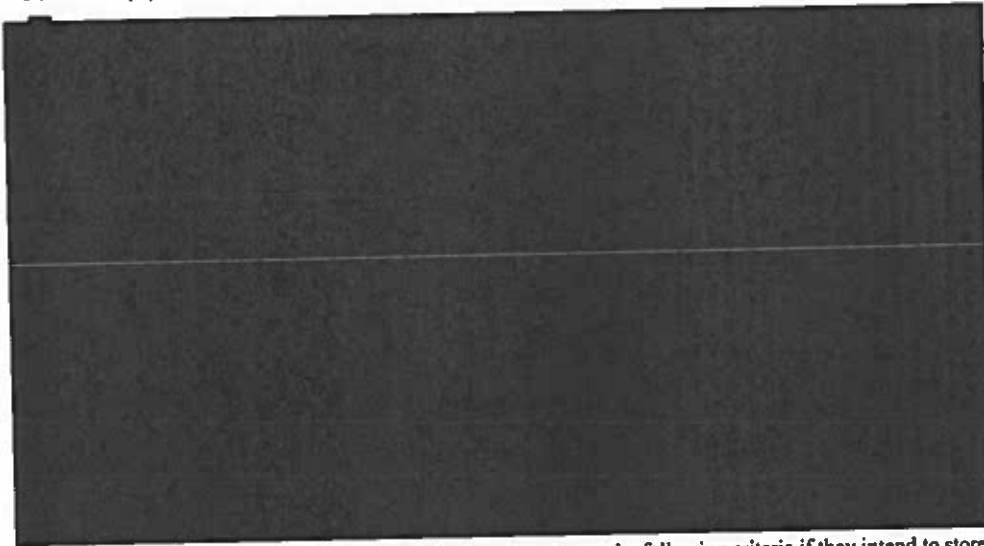
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(MUST BE SUBMITTED ON AGENCY LETTERHEAD)

1 June 2007

MEMORANDUM FOR: THE ASSOCIATE DEPUTY DIRECTOR FOR DISCLOSURE AND
RELEASE, OFFICE OF INTERNATIONAL AFFAIRS AND POLICY

ATTENTION: Disclosure and Release Division

SUBJECT: (U) Domestic Imagery Requirement NGA07-XXX



4. (U) Approved recipients of this domestic imagery must meet the following criteria if they intend to store the domestic imagery approved by this DIR on an information system. First, the domestic imagery may only be stored on information systems of approved recipients. Second, the approved recipients who store domestic imagery must ensure that it is properly monitored for the approved period and it is removed upon expiration of the approved period. Third, the cognizant security office must certify that the domestic imagery is being stored on an information system that is certified and accredited under 1C D 503 and that access to the domestic imagery is restricted to only the approved recipients.

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5. (U) I certify that the intended collection and use of the requested information, materials, and imagery derived from classified overhead systems are in support of Congressionally approved programs of (Organization Name(s)) and not in violation of applicable laws, including statutory authority of (Organization Name(s)). The request for imagery is not for the purpose of targeting any specific U.S. person nor is it inconsistent with the constitutional and other legal rights of U.S. persons. Applicable security regulations and guidelines and other restrictions will be followed.

6. (U) POC for this requirement is LT Dan Taylor or LT Forrest Gump, (secure xxx-xxxx; commercial (xxx) xxx-xxxx).

Benjamin Buford 'Bubba' Blue
Chief, Operations

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NSGM FA 1806 REVISION 5 (U) DOMESTIC IMAGERY

Appendix B. (U) Example of Civilian Agency Proper Use Memorandum (PUM)

(MUST BE SUBMITTED ON AGENCY LETTERHEAD)

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Sample for training purposes only

Submittal Date:
(U) December 1, 2006

Requesting Organization:
(U) Department of Energy

DOE Proper Use Memorandum (PUM) 07-XXX

Organizational Representative:
(U) Abbott N. Costello

Intended Use of Imagery Data:
(U) The Department of Energy (DOE) Office of Intelligence and Counterintelligence (IN) supports U.S. national security policymakers by providing intelligence analysis, and joining the technical expertise and international access of the Department of Energy and its National Laboratories with the capabilities of the Intelligence Community. Our purpose is threefold: to produce intelligence analysis; ensure intelligence security and its use in support of DOE and other national security programs and policies; and to ensure that DOE and laboratory analysis, technical capabilities, and resources are being developed and applied to the nation's hardest technical intelligence problems.



Electronic Storage:
(U) Approved recipients of this domestic imagery must meet the following criteria if they intend to store the domestic imagery approved by this PUM on an information system. First, the domestic imagery may only be stored on information systems of approved recipients. Second, the approved recipients who store domestic imagery must ensure that it is properly monitored for the approved period and that it is removed upon expiration of the approved period, Third, the cognizant security office must certify that the domestic imagery is being stored on an information system that is certified and accredited under ICD 503 and that access to the domestic imagery is restricted to only approved recipients.

Proper Use Statement:
(U) I certify that the intended collection and use of the requested information, materials and imagery derived from classified overhead systems are in support of congressionally approved programs of the Department of Energy and are not in violation of applicable laws, including the statutory authority of the Department of Energy. This request for imagery is not for the purpose of targeting any specific U.S. person nor is it inconsistent with the constitutional and other legal rights of U.S. persons. Applicable security guidelines and other restrictions will be followed.

(U) The DOE POC for this requirement is Mr. W. O. First, Commercial: (202) xxx-xxx, Secure: xxx-xxxx.

Abbott N. Costello
Senior Departmental Requirements Officer
DOE/Office of Intelligence

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NSGM FA 1806 REVISION 5 (U) DOMESTIC IMAGERY

Appendix C. (U) Example of DoD/Service Agency Proper Use Memorandum (PUM)

(MUST BE SUBMITTED ON AGENCY LETTERHEAD)

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Sample for training purposes only

To: The National Geospatial-Intelligence Agency
Attn: NGA/OIPZ

SUBJECT: DIA Proper Use Memorandum (PUM) 07-XXX, (USPACOM/ALCOM)

Submittal Date: 14 June 2007

Requesting Organization:

(U) Defense Intelligence Agency (USPACOM/ALCOM)

DIA PUM 06-XXX

Corresponding 2006 PUM: DIA 06-XXX (USPACOM/ALCOM)

Organization Representative:

(U) Bruce Wayne, DIA DTC, (202) 231-XXXX

(U) 2LT Dick Grayson, Collection Management and Exercise Division, ALCOM J23, DSN 317 552-XXXX,

(U) Alfred Pennywirth, JICPAC, DSN 473-XXXX

Intended Use of Imagery/Data:



Project Description:



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NSGM FA 1806 REVISION 5 (U) DOMESTIC IMAGERY

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Electronic Storage:

(U) Approved recipients of this domestic imagery must meet the following criteria if they intend to store the domestic imagery approved by this PUM or DIR on an information system. First, the domestic imagery may only be stored on information systems of approved recipients. Second, the approved recipients who store domestic imagery must ensure that it is properly monitored for the approved period and that it is removed upon expiration of the approved period. Third, the cognizant security office must certify that the domestic imagery is being stored on an information system that is certified and accredited under ICD 503 and that access to the domestic imagery is restricted to only approved recipients.

Proper Use Statement:

(U) I certify that the intended collection and use of the requested information, materials and imagery derived from classified overhead systems are in direct support of congressionally approved programs of the Department of Defense and USPACOM/ALCOM and is not in violation of applicable laws or statutory authority of USPACOM/ALCOM. The request for imagery is not for the purpose of targeting any specific United States person, nor is it inconsistent with the constitutional and other legal rights of U.S. persons. Applicable security regulations, guidelines and other restrictions will be followed.

James W. Gordon
Associate Deputy Director
for Collection Management

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NSGM FA 1806 REVISION 5 (U) DOMESTIC IMAGERY

Appendix D. (U) Sample of an NGA Internal PUM

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NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY
4600 Sangamore Road
Bethesda, MD 20816-5003

MEMORANDUM FOR THE ASSOCIATE DEPUTY DIRECTOR FOR DISCLOSURE
AND RELEASE, OFFICE OF INTERNATIONAL AFFAIRS AND POLICY

SUBJECT: (U) Proper Use Memorandum (PUM) NGA 08-XXX (PXXX)

3. (U) Approved recipients of this domestic imagery must meet the following criteria if they intend to store the domestic imagery approved by this PUM on an information system. First, the domestic imagery may only be stored on information systems of approved recipients. Second, the approved recipients who store domestic imagery must ensure that it is properly monitored for the approved period and is removed upon expiration of the approved period. Third, the cognizant security office must certify that the domestic imagery is being stored on an information system that is certified and accredited under ICD 503 and that access to the domestic imagery is restricted to only approved recipients.

4. (U) I certify that the intended collection and use of the requested information, materials, and imagery are in support of congressionally approved programs of NGA and not in violation of applicable laws, including statutory authority of NGA. The request for imagery is not for the purpose of targeting any specific U.S. person nor is it inconsistent with the constitutional and other legal rights of U.S. persons. Applicable security regulations and guidelines and other restrictions will be followed.

5. (U) The POC for this requirement is Mr. Quincy Magoo, (NSTS 575-XXXX; Comm 301-227-XXXX).

SIGNED
Mr. D. McBarker
Chief, NGA/PXXX

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Appendix E. (U) Sample Private Corporate Consent Letter

(U) Please contact NGA/OIP to discuss the intended targeting. Not all situations require consent forms. If a consent letter is required, it needs to be on corporate letterhead.



ABC123 CORPORATION

The ABC123 Corporation hereby gives its consent for the U.S. Government to take overhead photographs and collect remotely sensed data and to use such information for U.S. Government purposes. As president of ABC123 Corporation, I am authorized to provide this consent. I understand that the photography and data collection will take place between 30 May 2007 and 30 October 2007.

SIGNATURE

Title

Date

(U) The consent may also identify the intended use of the photography or remotely sensed data; however, any identification of a specific use may also limit other uses unless an additional consent is obtained. The longest duration of the consent letter is one year to conform with the approved annual PUM.

Appendix F. (U) Sample Private Individual Consent Letter

(U) Please contact NGA/OIP to discuss the intended targeting. Not all situations require consent forms.

I, Adam West, hereby give my consent for the U.S. Government to take overhead photographs and collect remote sensed data of my grain silo and surrounding area, located at Route 2, Gotham City, Any State and to use such information for U. S. Government purposes. I understand that the photography and data collection will take place between 1 June 2007 and 30 October 2007.

SIGNATURE
Date

(U) The consent may also identify the intended use of the photography or remotely sensed data; however, any identification of a specific use may also limit other uses unless an additional consent is obtained. The longest duration of the consent letter is one year to conform to the approved annual PUM.

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NSGM FA 1806 REVISION 5 (U) DOMESTIC IMAGERY

**Appendix G. (U) Sample Memorandum
for Military Users for Military Property Only**

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(MUST SUBMITTED ON COMMAND LETTERHEAD)
Sample for training purposes only

15 June 2007

MEMORANDUM FOR RECORD

SUBJECT: (U) Domestic Imagery Requirement for Ft. Outinnowhere

1. (U) The 629th MI BN will be using imagery of Ft Outinnowhere, Any State, for exercise Carmen San Diego 2007 to include both pre- and post-exercise evaluation and training. Imagery will be placed on database file servers and restricted to those Army organizations engaged in this military exercise.

2. (U) Target:

(BE or other collection data) Ft Outinnowhere, Any State Geographic Coordinates

3. (U) Certification:

- a. (U) The target or focus of the imagery is all federally owned or leased military property.
- b. (U) The imagery will be used only for a military or related national security purpose.
- c. (U) Nonmilitary activities or property incidental to the primary target will not be targeted or exploited.
- d. (U) The imagery is neither being collected for nor for sharing with Federal, state, or local law enforcement agencies.
- e. (U) The requested imagery and any classified imagery-derived products created will be made available only to appropriately cleared and authorized personnel.

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4. (U) I certify that the intended collection and use of the requested information, materials, and imagery derived from unclassified/classified overhead systems are in support of congressionally approved programs of this organization and not in violation of applicable laws, including the statutory authority of this organization. This request for imagery is not for the purpose of targeting any specific U.S. person nor is it inconsistent with the constitutional and other legal rights of U.S. persons. Applicable security regulations and guidelines and other restrictions will be followed.

5. (U) I am authorized to sign this certification on behalf of the requesting organization identified above, and I understand that I am responsible for the accuracy of the information contained herein.

6. (U) POC for this project is Captain B.A. Baracus at (xxx) xxx-xxxx

John Hannibal Smith
Colonel, U.S. Air Force
Chief, Operations

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