



Department of Defense DIRECTIVE

NUMBER 5030.59

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ASD(C3I)

SUBJECT: National Imagery and Mapping Agency (NIMA) LIMITED DISTRIBUTION
Imagery or Geospatial Information and Data

- References:
- (a) DoD Instruction 5030.59, "Defense Mapping Agency (DMA) Mapping, Charting, and Geodesy (MC&G) Data; Public Availability and Exceptions", January 19, 1993 (hereby canceled)
 - (b) Section 455 of title 10, United States Code, "Maps, Charts and Geodetic Data: Public Availability; Exceptions"
 - (c) [DoD Directive 5105.60](#), "National Imagery and Mapping Agency," October 11, 1996
 - (d) [DoD 5400.7-R](#), "DoD Freedom of Information Act Program," September 4, 1998
 - (e) through (i), see enclosure 1

1. PURPOSE

This Directive:

1.1. Cancels reference (a) to update DoD policy and assign responsibilities in accordance with references (b) and (c) for the use, availability, and withholding of LIMITED DISTRIBUTION imagery or geospatial information and data distributed by, created by, or derived from National Imagery and Mapping Agency (NIMA) information and data in the possession of, or under the control of, the Department of Defense.

1.2. Authorizes the issuance of further guidance in accordance with DoD Directive 5105.60 (reference (c)).

2. APPLICABILITY AND SCOPE

2.1. This Directive applies to the Office of Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, Office of the Inspector General of the Department of Defense, the Defense Agencies, DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter collectively referred to as "the DoD Components").

2.2. This Directive does not apply to handheld or clandestine photography taken by or on behalf of human intelligence collection organizations.

3. DEFINITIONS

3.1. Geospatial Information and Data. Information and data that presents or identifies the geographic location and characteristics of natural or constructed features and boundaries on the earth, including: statistical data; information derived from, among other things, remote sensing, mapping, and surveying technologies; and mapping, charting and geodetic data. This information or data may be in several forms including hard copy maps, charts, or other products or materials, or in soft copy digital data on various media. The term includes information, data, and products previously identified as "mapping, charting and geodesy" or "MC&G."

3.2. Imagery. 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 products produced by space-based national intelligence reconnaissance systems and likenesses or presentations produced by satellites, airborne platforms, unmanned aerial vehicles, or other similar means.

3.3. LIMITED DISTRIBUTION. A handling caveat and marking used by NIMA to indicate that distribution of certain unclassified imagery and geospatial information and data is limited to the Department of Defense and to authorized DoD contractors in accordance with the Defense Federal Acquisition Regulations Supplement (DFARS) (reference (f)).

4. POLICY

It is DoD policy that:

4.1. Any unclassified imagery or geospatial information and data produced by NIMA or derived from NIMA materials in the possession of, or under the control of the

Department of Defense, may be withheld from public release in accordance with reference (b), if that unclassified imagery or geospatial information and data:

4.1.1. Was obtained or produced, or contains information that was provided, pursuant to an international agreement that restricts disclosure of such information to Government officials of the agreeing parties or that restricts use of such information for Defense or Government purposes only.

4.1.2. Contains information that has been determined in writing would, if disclosed, reveal classified or sensitive sources and methods or capabilities used to obtain source material for production of the geospatial information and data.

4.1.3. Contains information that has been determined in writing would, if disclosed, jeopardize or interfere with ongoing military or intelligence operations, reveal military operational or contingency plans, or reveal, jeopardize, or compromise military or intelligence capabilities.

4.2. All imagery or geospatial information and data produced by NIMA or derived from NIMA information and data, and not otherwise classified, which meets the criteria set forth in paragraph 4.1., above, shall be marked as LIMITED DISTRIBUTION. The Director of NIMA will determine if any other geospatial information or data under the control and possession of the Department of Defense warrants similar protection.

4.3. NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data will be provided for official purposes only to DoD Components and to authorized DoD contractors who require such products for use in the performance of DoD contracts in accordance with Sections 252.245-7000 and 245.310-70 of the Defense Federal Acquisition Regulations Supplement (DFARS) (reference (f)).

4.4. In support of national security objectives, to include homeland security and defense, the Director of NIMA may authorize provision of LIMITED DISTRIBUTION imagery or geospatial information and data to non-DoD members of the Intelligence Community and to other Federal Government Departments and Agencies. Receipt and use by those Departments or Agencies shall be conditioned upon their acceptance of release restrictions and other terms or conditions described at the time the imagery or geospatial information and data is provided.

4.5. NIMA may provide LIMITED DISTRIBUTION imagery or geospatial information and data to U.S. allies and foreign governments in accordance with applicable treaties or pursuant to an agreement for the production or exchange of such products (reference (g)).

4.6. LIMITED DISTRIBUTION imagery or geospatial information and data is to be destroyed in such a manner as to prevent its reconstruction (references (d) and (e)).

5. RESPONSIBILITIES

5.1. The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence shall implement the DoD responsibilities in Section 455 of 10 U.S.C. (reference (b)).

5.2. The Under Secretary of Defense for Acquisition, Technology and Logistics shall:

5.2.1. Develop acquisition policies and procedures that protect NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data from public release when it is part of a DoD contract, cooperative agreement, cooperative research and development agreement, or grant.

5.2.2. Ensure that DoD procurements and agreements, which include the use of unclassified NIMA imagery or geospatial information and data, to include those marked as LIMITED DISTRIBUTION, comply with Sections 252.245-7000 and 245.310-70 of the DFARS (reference (f)).

5.3. The Under Secretary of Defense for Policy shall:

5.3.1. Ensure, in the development and negotiation of international agreements and treaties (reference (h)), that the use and distribution of NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data is in accordance with this Directive.

5.3.2. Coordinate with the Director of NIMA on any intended use and distribution of NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data outside of the Department of Defense.

5.3.3. Implement policies to obtain the Director of NIMAs coordination and express written approval on the use and distribution of NIMA-produced or derived

LIMITED DISTRIBUTION imagery or geospatial information and data in Security Assistance activities, including agreements, sales, or transfers involving mission planning systems, terrain simulation systems or weapon systems, and other transactions and activities under the direction of the Director, Defense Security Cooperation Agency (DSCA) (reference (i)).

5.4. The Chairman of the Joint Chiefs of Staff shall:

5.4.1. Make the determinations required in subparagraph 4.1.3., above, as requested by the Director of NIMA.

5.4.2. Establish policies and procedures to implement this Directive.

5.5. The Heads of the DoD Components shall:

5.5.1. Ensure that any LIMITED DISTRIBUTION imagery or geospatial information and data, and any derived products, are identified, marked, and handled in a manner consistent with this Directive.

5.5.2. Ensure that express written approval is obtained from the Director of NIMA for any release, dissemination or use of LIMITED DISTRIBUTION imagery or geospatial information and data, and any derived products, outside of the Department of Defense.

5.5.3. Establish policies and procedures consistent with this Directive for the withholding of LIMITED DISTRIBUTION imagery or geospatial information and data, and any derived products, from unauthorized use and public release.

5.5.4. Ensure that unclassified imagery or geospatial information and data marked with the LIMITED DISTRIBUTION caveat will not be released under a Freedom of Information Act request, and that all such requests are referred to NIMA's Freedom of Information Act Office.

5.5.5. Ensure that all DoD Component procurements and agreements, which include the use of NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data, apply the following restrictions to both DoD and Contract personnel:

5.5.5.1. Prohibit the reproduction of NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data without carrying over the LIMITED DISTRIBUTION handling caveat.

5.5.5.2. Prohibit the processing or transmission of NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data on unencrypted or unsecured systems accessible by the public such as the world wide web (reference (e)).

5.5.5.3. Prohibit the storage of NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data on systems accessible by contractors or other individuals who are not directly working on a DoD contract and who do not require such access in the conduct of official business.

5.5.5.4. Prohibit NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data from being released, accessed, or sold to foreign governments or international organizations without the express written approval by the Director of NIMA.

5.5.6. Ensure that DoD Component procurements and agreements, which include the use of unclassified NIMA imagery or geospatial information and data, to include those marked as LIMITED DISTRIBUTION, comply with Sections 252.245-7000 and 245.310-70 of the DFARS (reference (f)).

5.5.7. Obtain the express written approval of the Director of NIMA for the use of LIMITED DISTRIBUTION imagery or geospatial information and data, and any derived products, prior to entering into any Foreign Security Assistance transaction or arrangement, or transfer or loan of any weapon or weapons system that uses such material, intended to be used in mission planning systems, or sold to foreign partners through Foreign Military Sales (FMS) (reference (i)).

5.6. The Director of the National Imagery and Mapping Agency, shall:

5.6.1. Ensure that NIMA-produced or derived unclassified imagery or geospatial information and data requiring limited or controlled use and distribution pursuant to paragraph 4.1., above, is properly identified, marked, and controlled as LIMITED DISTRIBUTION.

5.6.2. Develop procedures and guidelines to ensure that the use and distribution of NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data is in accordance with references (b) and (c), and that the use of the LIMITED DISTRIBUTION marking is consistent throughout the Department of Defense.

5.6.3. Ensure that use and distribution of NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data is consistent with DoD security requirements (reference (e)) and interagency or international agreements (reference (h)).

5.6.4. Protect intelligence sources and methods used in the production of NIMA-produced or derived unclassified imagery or geospatial information and data, to include those marked as LIMITED DISTRIBUTION, from unauthorized disclosure.


5.6.5. Make a determination to release or withhold NIMA-produced or derived LIMITED DISTRIBUTION imagery or geospatial information and data from public sale and public release in accordance with references (b) and (c).

5.6.6. In support of national security objectives, to include homeland security and defense, authorize provision of LIMITED DISTRIBUTION imagery or geospatial information and data to non-DoD members of the Intelligence Community and to other Federal Government Departments and Agencies. Receipt and use by those Departments or Agencies shall be conditioned upon their acceptance of release restrictions and other terms or conditions described at the time the imagery or geospatial information and data is provided.

5.6.7. Provide LIMITED DISTRIBUTION imagery or geospatial information and data to U.S. allies and foreign governments in accordance with applicable treaties or pursuant to an agreement for the production or exchange of such products (reference (g)).

6. EFFECTIVE DATE

This Directive is effective immediately.



Paul Wolfowitz
Deputy Secretary of Defense

Enclosures - 1

E1. References, continued

E1. ENCLOSURE 1

REFERENCES, continued

- (e) [DoD 5200.1-R](#), "Information Security Program," January 1997
- (f) Code of Federal Regulations, Title 48, Parts 245, "Government Property," and 252, "Solicitation Provisions and Contract Clauses," current edition
- (g) Section 454 of title 10, United States Code, "Exchange of Mapping, Charting, and Geodetic Data with Foreign Countries and International Organizations"
- (h) [DoD Directive 5530.3](#), "International Agreements," June 11, 1987
- (i) DoD 5105.38-M, "Security Assistance Management Manual," September 2000