

CLASSIFICATION: UNCLASSIFIED

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

JESSE C. TRENTADUE,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No.
)	08-0788
UNITED STATES CENTRAL)	
INTELLIGENCE AGENCY, FEDERAL)	
BUREAU OF INVESTIGATION, and)	
FEDERAL BUREAU OF INVESTIGATION'S)	
OKLAHOMA CITY FIELD OFFICE)	
)	
Defendants.)	

**(U) DECLARATION OF EARL J. CHIDESTER
ANALYSIS AND PRODUCTION EXECUTIVE COMMITTEE
DIRECT SUPPORT OFFICER,
NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY**

(U) I, EARL CHIDESTER, hereby declare and say:

1. (U) I am the Analysis and Production Executive Committee Direct Support Officer in the Office of the Chief of Staff of the Analysis and Production Directorate of the National Geospatial-Intelligence Agency (NGA). I have extensive experience in matters concerning the creation, use, and classification of imagery and imagery intelligence products.

2. (U) The NGA Analysis and Production Directorate is responsible for the development of geospatial intelligence products including imagery intelligence graphics.

3. (U) Through the exercise of my official duties, I am familiar with the FOIA request which is the basis of this civil action. I make the following statements based upon my personal knowledge and information made available to me in my official capacity.

4. (U) The purpose of this declaration is to explain the basis for NGA's response to the CIA's referral of documents determined to be possibly responsive to the Plaintiff's FOIA request of December 19, 2006. In that request Plaintiff requested records and information the CIA had relating or referring to the bombing of the Murrah Federal Building on April 19, 1995. During its records search in response to Plaintiff's request, the CIA located in CIA's files twenty-five classified documents that were originated by a predecessor organization of NGA that are responsive to Plaintiff's FOIA request. These documents are now the responsibility of NGA. On February 23, 2009, the CIA referred these documents to NGA to determine if any of these twenty-five documents could be released to the Plaintiff.

5. (U) As an NGA technical expert, I reviewed the referred documents to determine whether any of them are releasable. Based upon my review NGA has determined that all the referred documents have been properly classified pursuant to Exec. Orders 12951 and 12958 and, accordingly, should be withheld. None of the documents can be released, even in part, as no reasonably segregable, non-exempt portion of these documents exists.

6. (U) The 25 referred documents are imagery intelligence products derived from imagery collected by various national technical means satellites. The materials include briefing boards, anaglyphs, and IDEX II electronic light-table prints. Release of these materials would reasonably be expected to cause serious damage to the national security as such release might reveal sources and methods used to acquire intelligence. This is because the nature of the technical output may reveal the technologies used, and the capacities of those technologies. Because these images are properly classified in their totality, it is not possible to segregate any portion of the images for release. Any portions that might possibly be segregated would convey no information as they would essentially be blank.

7. (U) The Geospatial Intelligence Policy Series (GIPS), issued by NGA under the direction of the Director of National Intelligence, provides guidelines on, among other matters, the classification of national security materials such as satellite materials and materials derived from such imagery. Chapter 1-Imagery Policy states that "Executive Order 12951 is the exclusive Executive order governing the public release of imagery for purposes of section 552(b)(1) of the Freedom of Information Act. This means that reconnaissance satellite imagery is not governed by Executive Order 12958, which normally requires automatic declassification of classified materials when they are 25 years old." The security terms used to classify imagery and materials derived from imagery are defined in Executive Order 12958. The documents I reviewed are covered by these policies.

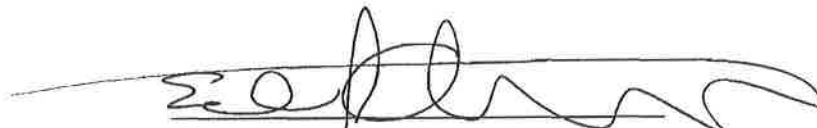
8. (U) My review of these documents has been coordinated with Elizabeth M. Smith, NGA Classification Manager. In her position, Ms. Smith is responsible for review of the proper classification of documents. The NGA FOIA office coordinates with Ms. Smith or other members of her office on such matters. Ms. Smith also reviewed these documents and has concurred with my determinations

concerning the classification and releasability of these documents.

8. (U) For the reasons set forth above, the documents referred to NGA for review are properly classified under Executive Orders 12951 and 12958 and therefore are exempt from disclosure under FOIA exemption (b) (1).

(U) I hereby declare under penalty of perjury that, to the best of my understanding, the foregoing is true and correct.

(U) Executed this 18th day of August, 2009.



(U) Earl J. Chidester
Analysis and Production
Executive Committee Direct
Support Officer
National Geospatial-
Intelligence Agency