

OSINT DEFINITIONS

Date: November 28, 2022
Revision Date: N/A

Document Number: 20221128-01
Authored By: Practitioner Committee

BACKGROUND: Definitions related to the OSINT discipline began with the initial definition of “Open Source Information” in Director of Central Intelligence Directive 2/12 – Community Open Source Program, dated June 1, 1992. The legal definition of open-source intelligence (OSINT) was codified in Public Law 109-163, Section 931 on January 6, 2006, and thereby incorporated into 50 United States Code, Section 403-5, Title 5, Part 1, Chapter 4.

APPLICABILITY: The following definitions are applicable for OSINT practitioners in and supporting the U.S. Intelligence Community. The definitions are instructive, but not necessarily applicable to non-U.S. Intelligence Community activities.

DEFINITIONS:

Open-source intelligence (OSINT) is intelligence that is produced from publicly available information and is collected, exploited, and disseminated in a timely manner to an appropriate audience for the purpose of addressing a specific intelligence requirement.¹ [Public Law 109-163, Section 931]

Publicly available information (PAI): Information that has been published or broadcast for public consumption, is available on request to the public, is accessible on-line or otherwise to the public, is available to the public by subscription or purchase, could be seen or heard by any casual observer, is made available at a meeting open to the public, or is obtained by visiting any place or attending any event that is open to the public.² [DoD Manual 5240.01]

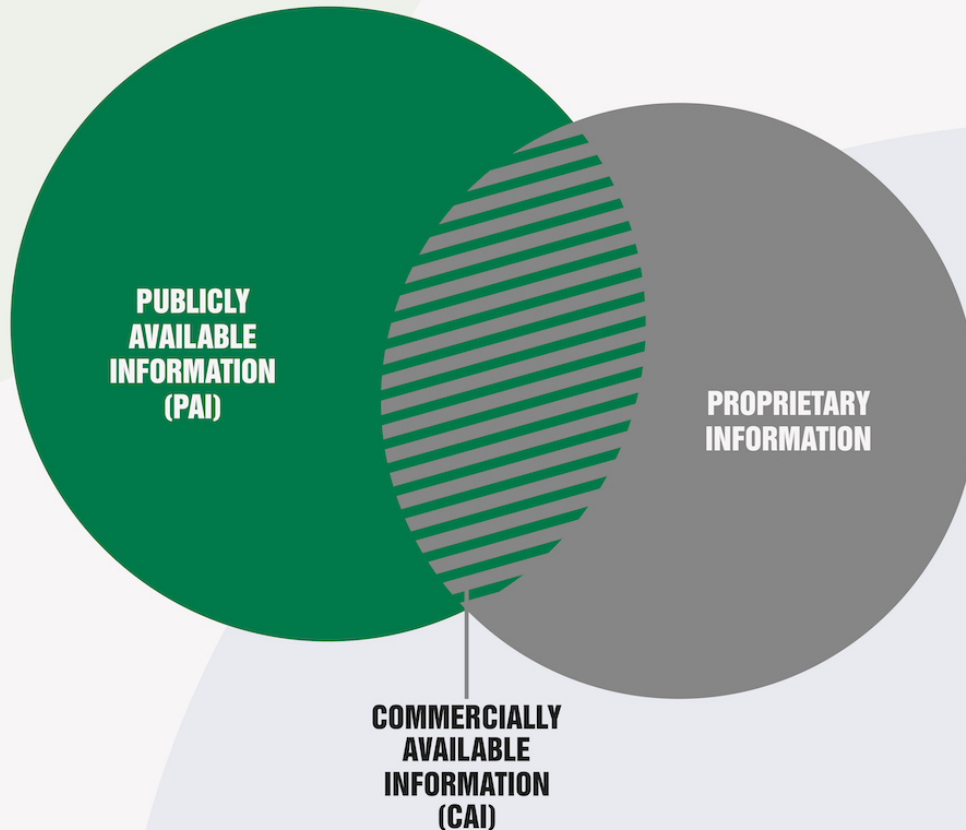
Commercially available information (CAI): Any information [data] that is of a type made available or obtainable and sold, leased, or licensed to the general public or to non-governmental entities for purposes other than governmental purposes.³ [ODNI Data Management Lexicon, January 2022]

¹ Public Law 117-103, Section 309, dated March 15, 2022 instructs that, “*Not later than September 30, 2023, the Director of National Intelligence and the Under Secretary of Defense for Intelligence and Security, in consultation with the heads of the elements of the intelligence community, shall jointly develop and publish definitions for the following terms: ... (16) Open-source intelligence.*” The OSINT Foundation understands a new definition for open-source intelligence is currently under development, and intends to adopt the new definition when published, but in the interim, is using the previous legal definition in Public Law 109-163, Section 931.

² The final sentence of this definition in DoD Manual 5240.01 was left off by the Practitioner Committee as it does not apply to the entire IC and is unclear in its wording. DoD OSINT practitioners should be aware the redacted sentence is still applicable to their activities.

³ The final three sentences of this definition in the ODNI Data Management Lexicon were left off by the Practitioner Committee as they run contrary to both public law and the Federal Acquisition Regulation regarding the nature of commercial items.

CAI Is A Subset Of PAI And Proprietary Information



Copyright 2022, OSINT Foundation, Incorporated, free for use with attribution.

DISTINGUISHING CAI FROM PROPRIETARY INFORMATION:

Proprietary information is controlled by the owner – if it is available for purchase by the public it is commercially available information (CAI). Proprietary information that is not available to the public or non-governmental entities is neither CAI nor PAI. This includes instances when the information is sold exclusively to the government or access is gained through government regulation.

CLARIFICATION FOR USAGE:

OSINT is pronounced: *OH-sint* (there is no *zee* or */z/* sound when pronouncing OSINT)

PAI is pronounced: *PEE-ay-eye*

CAI is pronounced: *SEE-ay-eye*

The term *open-source intelligence* is hyphenated in accordance with both Public Law 109-163 as well as 117-103, and comports with English language grammatical rules.

As a noun, the acronym *OSINT* refers to an intelligence discipline. As an adjective, OSINT describes: a type of intelligence product; an intelligence professional trained to collect and exploit PAI; a type of intelligence activity; or an organization/team/section that performs said activity. Use of OSINT as a verb or as a substitute for the terms *publicly available information (PAI)* or *commercially available information (CAI)* does not meet professional standards.

THE NATURE OF OSINT:

As a distinct intelligence discipline, open-source intelligence is almost exclusively an activity where information is acquired second-hand. By definition, in order for the information to be publicly available, it must have been collected, processed, and disseminated by someone else for other purposes. PAI collection, therefore, is an activity wherein the OSINT practitioner does not directly interact with the target or source to elicit a response. An exception to this guiding principle is requesting additional information in public forums since the resulting new information is publicly available. While not second-hand, overt requests⁴ have been considered part of the discipline since 1992.

⁴ Director of Central Intelligence Directive 2/12 – Community Open Source Program, dated June 1, 1992 states, “*Open source information for the purposes of this directive is publicly available information (i.e., any member of the public could lawfully obtain the information by request or observation) ...*”