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PROCEDURES FOR REVIEW

**Of Nonofficial Publications
and Oral Presentations
by Employees, Former
Employees, and Others**

A Handbook for Reviewers

DISTRIBUTION: A

**PROCEDURES FOR
REVIEW OF NONOFFICIAL PUBLICATIONS
AND ORAL PRESENTATIONS
BY EMPLOYEES, FORMER EMPLOYEES,
AND OTHERS**

A HANDBOOK FOR REVIEWERS

DISTRIBUTION: A

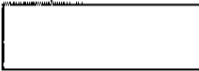
PUBLIC AFFAIRS

FOREWORD

1. This handbook sets forth the guidelines to be followed by those individuals responsible for reviewing manuscripts that are intended for nonofficial publication by current or former Agency employees and others. It provides guidance for the reviewer, describes the review process, lists the functions of the Publications Review Board (PRB or Board), and cites the authorizing documents for the review.

2. Questions concerning the review of manuscripts should be directed to component PRB representatives and, failing resolution, to the PRB Executive Secretary, who is located in the Office of Information Technology.

Deputy Director of Central Intelligence



INSTRUCTION SHEET

This handbook supersedes the existing  which should be destroyed.

This handbook is revised to provide information and guidelines to those individuals responsible for the review of nonofficial publications by employees, former employees, and others.



PUBLIC AFFAIRS



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1. PURPOSE

This handbook prescribes guidelines in accordance with policies set forth in [] for the review of material intended for nonofficial publication that is written by former Agency employees, current employees and others.

- a. Nonofficial writings and scripts or outlines of oral presentations by former employees must be submitted to the Publications Review Board (PRB) for review.
- b. Deputy Directors and Heads of Independent Offices shall submit material they have written which is intended for nonofficial publication either to the Executive Director of the Agency or to the Board for review.
- c. Other current employees must submit nonofficial manuscripts through their supervisory chains of command to their Deputy Directors or Heads of Independent Offices who may determine whether, as a policy matter or classification, public disclosure is authorized. A Deputy Director or Head of Independent Office may approve publication, approve publication with deletions and/or changes, or may disapprove publication. Alternatively, any supervisory official in the author's chain of command may submit the material to the Board for a decision on whether public disclosure of the information reasonably could be expected to harm the national security interests of the United States. Current employees other than Deputy Directors or Heads of Independent Offices may elect to make submissions directly to the Chair of the Publications Review Board only for determination of the necessity for any Agency review.
- d. The procedures for submission and review of proposed nonofficial publications by Agency contractors depend on the terms of the contract. If the contractor is a former Agency employee, the manuscript shall be submitted to the Board. The Chair will coordinate the review with the contracting component if the subject matter of the manuscript and the contract for services overlap. Otherwise, the manuscript review will be treated like that for any former employee. If the contractor is not a former employee, the Agency contracting component will conduct the manuscript review in accordance with the terms of the contract for services and the contractor's secrecy agreement, and provide a record of the results to the PRB.

c. The Publications Review Board is the office of record for all component-approved material intended for nonofficial publication by current Agency employees and contractors. In this capacity, the PRB Staff receives a copy of the approved material along with a copy of the signed approval memorandum from the Deputy Directors or Heads of Independent Offices, depending upon the component of the author. [REDACTED]

2. REVIEW PROCESS

a. The purpose of prepublication review is to identify information obtained during the course of an author's employment or other service with the CIA that could harm national security if disclosed. In the case of manuscripts submitted by current employees and contractors, the purpose is also to identify statements that might impair the author's performance of duties, interfere with the authorized functions of the CIA, or have an adverse impact on the foreign relations or security of the United States.

b. The material to be reviewed will be sent by the PRB Staff to the Board members and/or other reviewing officials representing the components with responsibility for the subject material. The Board members or reviewing officials may wish to consult experts within their components, especially when unfamiliar material needs to be evaluated. The Board members or reviewing officials remain responsible for reviewing an expert's proposed deletions to ensure that they are properly justified by identification of the specific harm to the national security that could result from publication.

c. When reviewing manuscripts by former employees, the reviewer may recommend deletion of material from a manuscript only when disclosure of the information reasonably could be expected to damage national security.

The damage must be reasonably specific and must flow logically from the unique circumstances of the disclosure proposed by the author. [redacted] prohibits deletion of material solely because statements may be embarrassing to or critical of the Agency.

d. The results of the review should be reported to the PRB on a PRB routing slip or in a memorandum to the PRB Chair using one of the five responses:

(1) The manuscript contains no information that could harm national security if disclosed.

(2) The manuscript contains information that could harm national security if publicly disclosed. When this occurs, each recommended deletion must be specifically identified. [redacted]

(3) The manuscript is disapproved in its entirety because the work would be meaningless if all the material that could harm national security if disclosed were deleted.

(4) The manuscript contains no classified material, but certain changes are suggested because the material is unnecessarily close to or draws undue attention to sensitive matters. In such cases, the Agency can request but not insist that deletions or changes be made. Often such changes can be worked out with the author to the mutual satisfaction of all concerned.

(5) Various combinations of the alternatives mentioned in paragraphs one through four above.

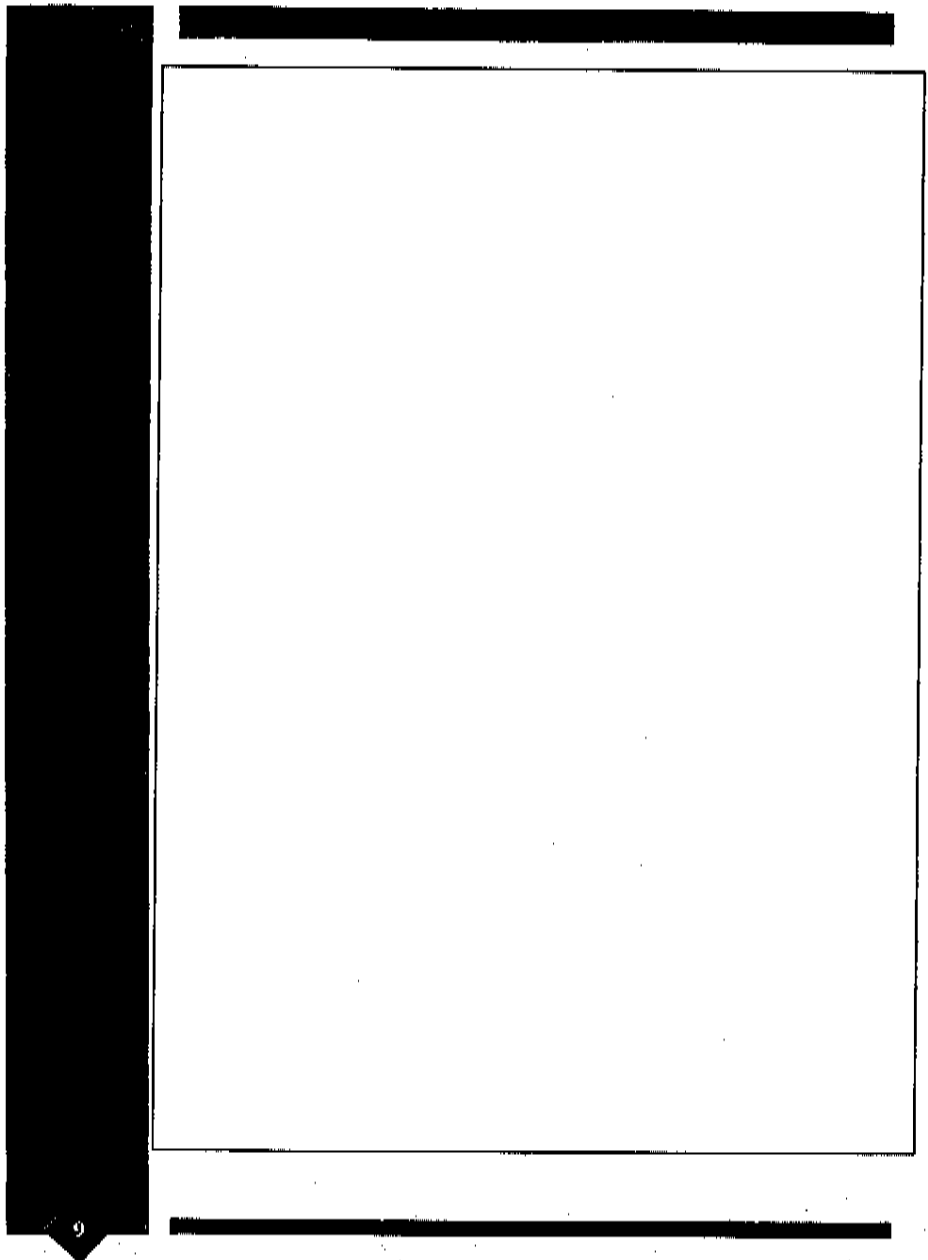
e. Reviewers should not correct errors of any kind, factual or grammatical, contained in the manuscripts under review.

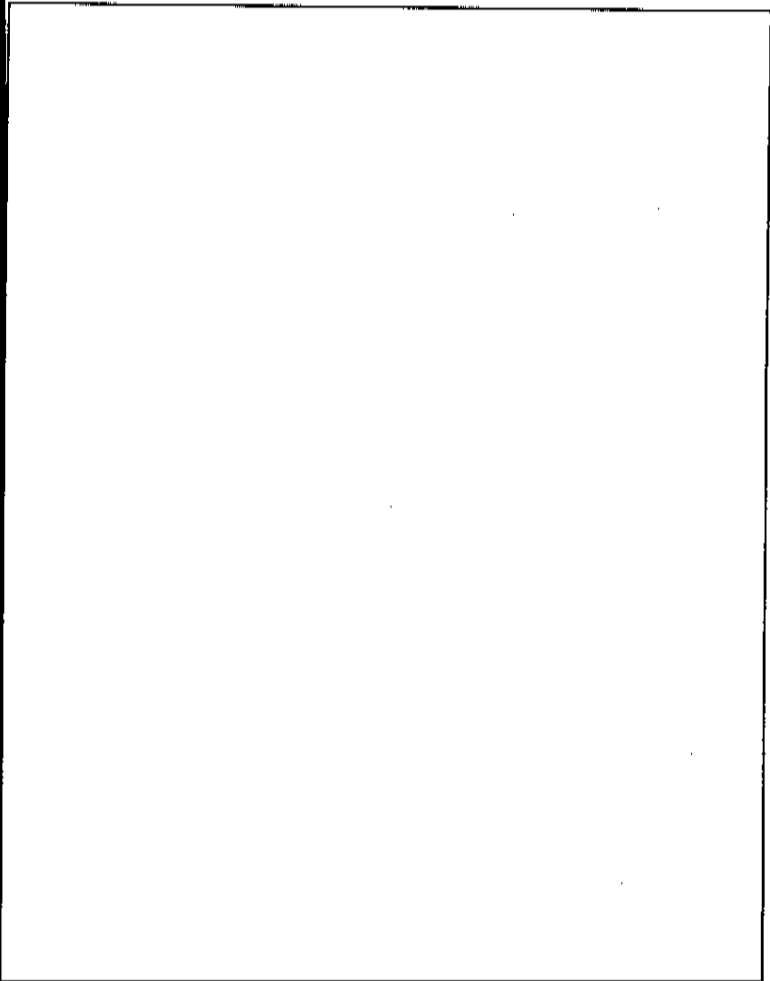
f. The assigned dates by which reviews must be completed are very important. In United States v. Marchetti in 1974, the Fourth Circuit Court of Appeals held that:

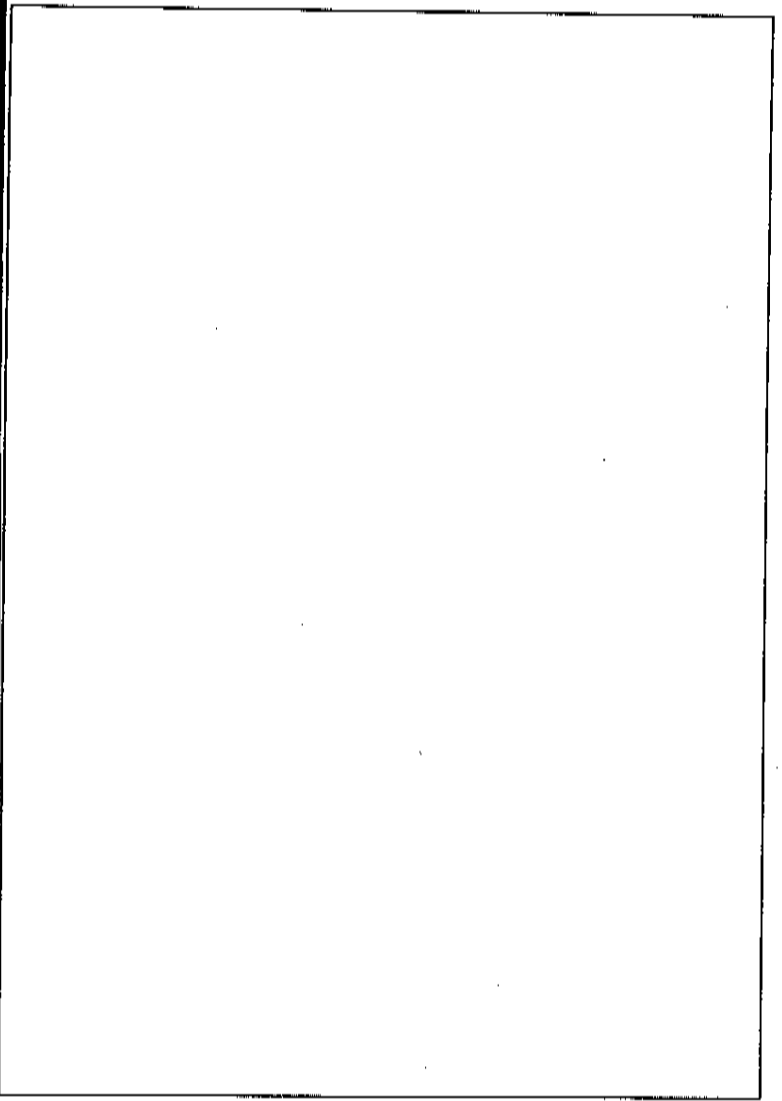
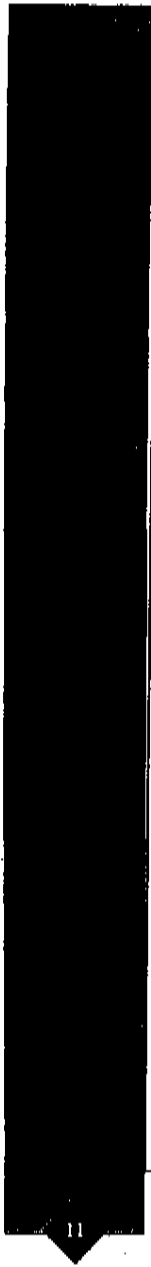
"Because we are dealing with a prior restraint upon speech, we think that the CIA must act promptly to approve or disapprove any material which may be submitted to it by Marchetti. Undue delay would impair the reasonableness of the restraint, and that reasonableness is to be maintained if the restraint is to be enforced. We should think that, in all events, the maximum period for responding after the submission of material for approval should not exceed thirty days."

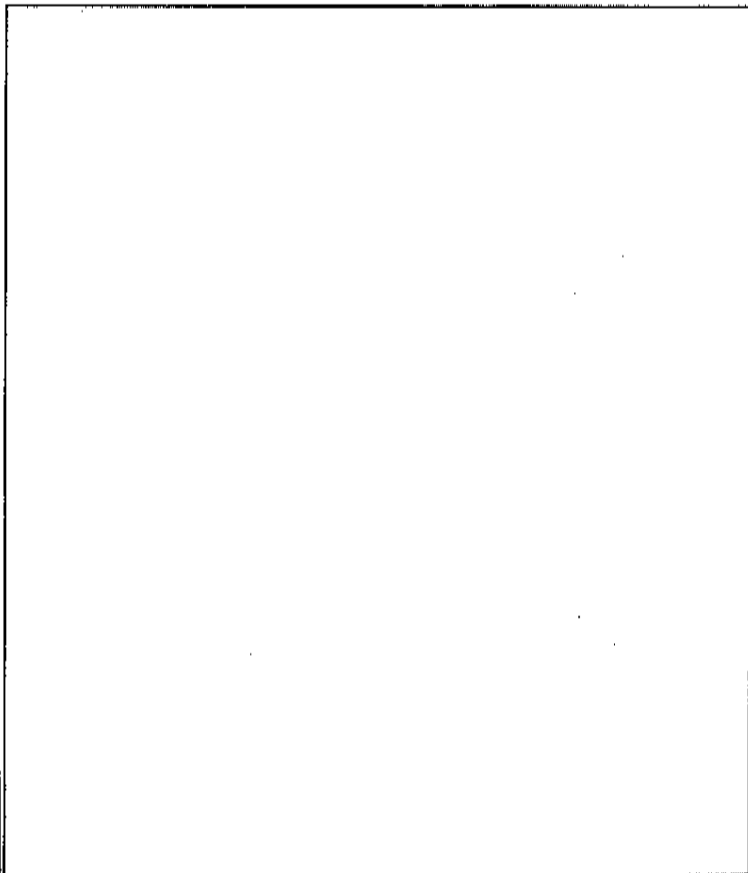
The Department of Justice has since adopted and imposed the 30-day rule as a standard. The processing time begins on the day a manuscript is received by the PRB. Because administrative processing takes additional time, it is essential that reviewers adhere closely to assigned deadlines.

g. For current employees, copies of final decisions made by supervisors or other officials in components will be sent to the PRB. In addition, in all cases, because the manuscripts are proprietary in nature, they should not be shared with anyone not conducting a review, and all copies must be returned to the PRB.









9. APPEAL PROCESS

Authors who wish to appeal decisions should address such appeals in writing to the Executive Director of the Agency, accompanied by the material intended for publication and any supporting materials the author wishes the Executive Director to consider. Appeals are to be submitted through the Chair, PRB. On behalf of the Executive Director, the Chair will forward the appeal through the senior operating officials of the affected component to each Deputy Director or Head of Independent Office whose representative on the Board found classified information in the manuscript at issue. The Deputy Director or Head of Independent Office will affirm or recommend revision of the Board's decision affecting his equities and will forward that recommendation to the General Counsel. The General Counsel will review the recommendations for legal sufficiency and will make a recommendation to the Executive Director for a final Agency decision. Every effort will be made to complete the appeal process within 30 days.

FIG. 1

PUBLICATIONS REVIEW BOARD REVIEW PROCESS

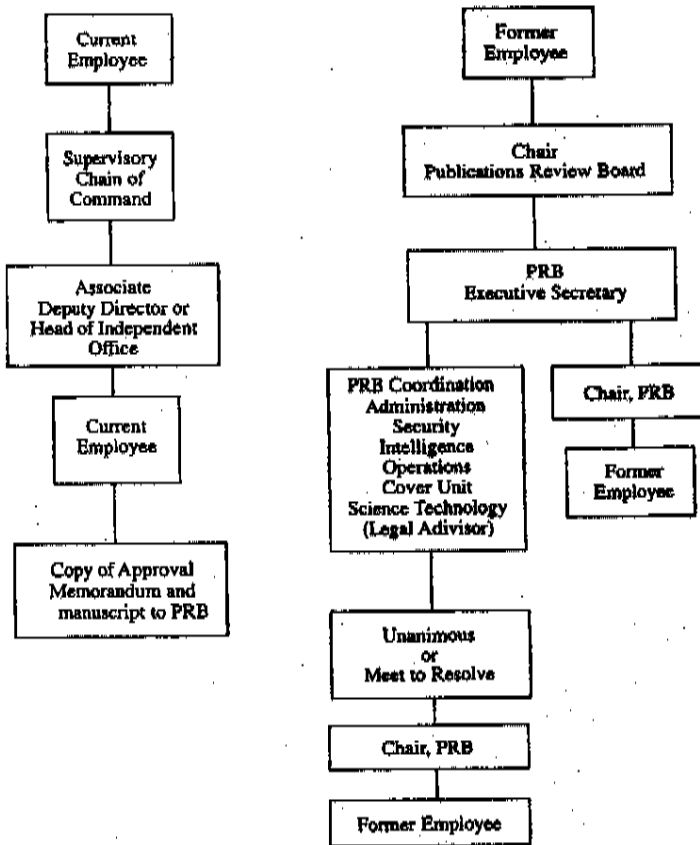


FIG. 2

**PUBLICATIONS REVIEW BOARD
APPEAL PROCESS**

