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Myths and Realities

CIA Prepublication Review in the Information Age

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A career of nearly 32 years with the Central Intelligence Agency has taught me the wisdom of “never saying never” about any work-related situation, but I have to admit nothing prepared me for my current stint as the first senior representative of the Directorate of Intelligence (DI) to the Central Intelligence Agency's Publications Review Board (PRB). As a longtime DI manager, the frenetic activity of dealing with middle-of-the-night breaking events now seems quaintly bucolic compared with my daily navigation of the often confusing rules and guidelines dealing with the CIA's prepublication review process.

Confrontations with angry analysts, collectors, associated

Intelligence Community (IC) entities, and editorial staffs over an article for a current intelligence publication pale next to the howls of protest from aspiring authors, who demand outlets for their creativity and who believe it is their God-given, Constitutional right to publish in an expanding universe of outside formats, as long as “they divulge no classified information” and “I don't work that account.” Woe betide the officer charged with reminding them of their responsibilities and the restrictions associated with the secrecy agreement they all blithely signed perhaps years or, in the case of some of the millennial generation, only days ago. Complicating the equation are the opinions of managers equally

PREPUBLICATION REVIEW OF CERTAIN MATERIAL PREPARED FOR PUBLIC DISSEMINATION

SYNOPSIS. This regulation sets forth CIA policies and procedures for the submission and review of material proposed for publication or public dissemination by current and former employees and contractors and other individuals obligated by the CIA secrecy agreement to protect from unauthorized disclosure certain information they obtain as a result of their contact with the CIA. This regulation applies to all forms of dissemination, whether in written, oral, electronic, or other forms, and whether intended to be an official or nonofficial (that is, personal) publication.

—From CIA Prepublication Regulation

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The PRB has been around since 1976 but only in its current form since 2007. Until July 2005, the PRB reviewed only the works of former employees; writings by current employees were reviewed by immediate supervisors. []

ignorant of the prepublication rules or, in other words, all those exactly like me before my arrival at CIA's PRB. []

Righteous indignation aside, numerous questions beg for answers.

- Should there be any restrictions on outside writings?
- Why is CIA the only Agency that worries about this stuff and why is no other IC component as Neanderthal as the Agency on this issue? (CIA is not in either case.)
- How can I go to graduate school yet comply with "archaic" rules that prohibit policy prescriptive writings?
- PRB only reviews book manuscripts, right?
- How can I perform required outreach activities with you guys on my back all the time?
- I'm retired—why can't I write about long-forgotten successes that redound to the Agency's or the IC's credit?
- What legacy can I leave to my heirs about my role as an intelligence officer?
- Why can't I write a novel/screenplay/broadway show

based on my experiences—who would know?

- Whattayamean I can't blog, tweet, etc., about my life to my friends?

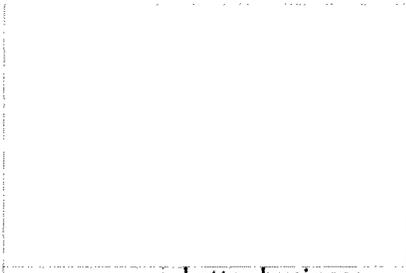
And the list goes on and on and on. []

Prepublication 101 []

To begin to even rationally address these and a plethora of associated issues, we need to start with some basic facts. []

Origins

The PRB has been around since 1976 but only in its current form since 2007. Until July 2005, the PRB reviewed only the works of former employees; writings by current employees were reviewed by immediate supervisors. For any number of reasons, this system didn't work very well. Misinterpretation and outright ignorance of the relevant regulation, combined with the lack of time available to selected—read "dragooned"—reviewers who had other full-time jobs resulted in inconsistent application of standards of review not only by different offices within CIA's directorates but by different directorates altogether. []



[] a better business model was needed to ensure consistency of review across the Agency—read "take this out of the hands of already overburdened managers"—and to cope with the rising tide of products submitted for review. []



[] it became apparent that a full-time board, colocated in one building, was necessary to meet the expanding prepublication review mission. As a result, with the approval of DCIA Michael Hayden, an independent board (consisting of a chair and senior representatives from each CIA directorate and the offices under the DCIA) was established in September 2007 and fully staffed by the end of that year. []

Evolution of the Regulation

The Agency regulation governing the prepublication review process and a series of directives from the Agency's leaders provide the regulatory framework for ongoing reviews. In explaining its key parts, I

like to equate the regulation with the US Constitution. Like the document that governs our country, the regulation is both specific and general, thereby allowing for latitude in interpretations. Put another way, the US Supreme Court, based on the prevailing philosophy of the justices, especially the chief justice, has interpreted the Constitution in a variety of different rulings, often modifying the rulings of previous justices. So too, in my judgment, do the board members apply the regulation, with the Agency's directors acting as a chief justice in setting the tone of interpretation. Thus, under Director Porter Goss, for example, the board tended in interpreting the instruction to err on the side of allowing very little to be published by CIA authors. In contrast, Directors Tenet, Hayden, and Panetta clearly favored a far looser interpretation to facilitate the publication of a significantly larger number of manuscripts.

The latest version of the regulation, just published in June 2011, has been seen by some in CIA's workforce as the strictest version yet; in my discussions with many of these officers, however, I am quick to point out that nothing has changed except that the rules have been more clearly delineated. At the same time, the regulation clearly grants board members more leeway by explicitly granting them the authority to

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review submissions on a "case-by-case" basis.

The Changing Demand: A Tsunami of Cases

The realization in 2006 that a more efficient system of review was needed seems prophetic today in light of the explosion we have experienced in submitted manuscripts. From 1980 to 2003, the PRB reviewed between 200 and 400 manuscripts per year. In 2010, by contrast, the unit reviewed more than 1,800 manuscripts. In 2011, at our current rate, we are likely to review more than 2,500 manuscripts; in March 2011, the board set a one-month record by reviewing more than 300 manuscripts, the equivalent in a month of what was reviewed in an entire year in a previous lifetime.

What's behind this tidal wave? A perfect storm of events, in my view. First and foremost, new technology allows authors to self-publish in ways that were unimaginable only a few years ago. When I entered on duty in 1979 authors could submit manuscripts to only a limited number of publishing houses and journals; with the advent of desktop publishing, wikis, blogs, etc., however, no author need fight another to get into the publishing candy store.

Secondly, new Agency policies encouraging employees to broaden their perspectives by increasing outside contacts—a practice virtually forbidden three decades ago—has resulted in a large number of officers pursuing graduate degrees, presenting at conferences, or discussing intelligence-related subjects at heavily attended recruiting events, to name just a few new activities.

The Agency's senior management has also fostered the new publishing climate by encouraging officers like Gary Schroen (*First In: An Insider's Account of How the CIA Spearheaded the War on Terror in Afghanistan*) and Antonio Mendez (*The Master of Disguise: My Secret Life in the CIA*) to tell their good-news stories to the American public. Add in the success of a number of high-level Agency retirees who have published works about their careers, the increase in public interest in intelligence (note the successful Spy Museum as a major tourist attraction in downtown Washington DC), and the post-9/11 emphasis on a more open, transparent Intelligence Community, and you have the makings of a publishing bonanza.

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To handle the increased volume, the PRB increased the size of the reviewing staff and assigned to the board, on a full-time basis, senior officers from each directorate.

CIA Changes its Approach

The CIA's response to this tsunami has been, in addition to sharpening the language of the regulation, an increase in the number of people responsible for managing the process, raising of the seniority of the officers responsible for making the judgments, and increased effort to get the word out.

To handle the increased volume, the PRB increased the size of the reviewing staff and assigned to the board, on a full-time basis, senior officers from each directorate. In this new environment press gangs were no longer needed to dragoon officers away from other duties.

Fully devoted to the task, PRB's officers also engage in outreach, an effort that is gaining some traction. For example, a module I developed for CIA University's course for new managers (as well as a variation for staff attending offsites, brown bag lunches, etc.) has reached more than 1,500 officers, who are now, I hope, more witting of their roles and responsibilities in the prepublication process.

Secondly, and perhaps with greater clarity than in the past because of the staff's growing experience, the board provides

detailed explanations to all authors about the results of the review process. The danger of misunderstandings and bruised feelings among highly educated and strong-willed writers, however, still hangs over the process.

Still a Way to Go

You might think, with this openness, changes in the process, and efforts at outreach, we would have a contented workforce, with far more opportunity to publish nonofficial manuscripts than in any previous time in the CIA's history. But you would be wrong. In reality, we still have confusion in the ranks. And that, I think, is due in large part to two things: continued ignorance about what needs to be submitted (and when) and lack of understanding about the term "appropriateness" as a standard for evaluating submissions.

Everybody knows one may not publish classified information, but few know that the review includes an evaluation of the appropriateness of a manuscript, much less what it involves. Add to that, I would wager, few CIA officers have read the relevant regulation in its entirety, let alone fully understood its contents. More-

over, the mixture of a highly educated and literate workforce not shy about voicing its opinions explains why the assignment of senior officers from each directorate to the PRB was necessary—these officer had better know the business of their directorates inside out, and have strong interpersonal skills and long experience in dealing with potentially difficult situations.

Keeping It Simple: Key Facts (U)

Let's start with what might be the simplest of questions: what to submit for review? When this question is actually contemplated by Agency officers and contractors who have gotten over a variation of the Alfred E. Newman question of "What, I've got to submit something to the PRB?" the answers I get run the gamut from "Submit everything, right?" to a version of "#\$@%*&!%\$#!!!" In reality, there are really only a few basic requirements officers need to keep in mind regarding potential submissions.

1. All nonofficial (personal) manuscripts that are "Agency-related" (i.e. CIA-related) and intended for presentation to audiences outside of the US government (this includes spouses, friends, relatives, and anyone without a security clearance) are subject to review. Within this context, "Agency-

related" means that the author mentions CIA, mentions intelligence data or activities, or mentions material on any subject about which the author has had access to classified material. Examples would include, but are not limited to, academic papers, books, articles, screenplays, course syllabuses and lesson plans, etc. This also includes postings to assorted wikis, blogs, and other forms of personal electronic dissemination. [redacted]

NOTE: CIA officers and contractors are also required to submit all *official* (work-related) manuscripts that fulfill the aforementioned criteria. These include, but are not limited to, recruitment materials, outside presentations to an academic group as an Agency representative, etc. However, PRB does not directly review these materials in the way it reviews nonofficial manuscripts. Instead, the board forwards them to the various Directorate Information Review Officers (IRO). For further information on this process, readers should contact directorate IROs. [redacted]

2. Manuscripts submitted by former officers and contractors will be reviewed only for classified material.
(U)

3. Manuscripts submitted by current officers and contractors will be reviewed for classified material and

Additional Review Criteria: Appropriateness [redacted]

For current employees and contractors, in addition to the prohibition on revealing classified information, the Agency is also legally authorized to deny permission to publish any official or nonofficial materials on matters set forth in paragraphs e(1) and e(4) above that could:

- (a) reasonably be expected to impair the author's performance of his or her job duties,
- (b) interfere with the authorized functions of the CIA, or
- (c) have an adverse effect on the foreign relations or security of the United States. [redacted]

From CIA Prepublication Regulation

issues of appropriateness.

This is, without a doubt, the most problematic aspect of the entire prepublication review process.

"Appropriateness": What It Means. [redacted]

To explain the concept of appropriateness, let's consider the rationale behind this category. The objective is to ensure that the CIA is not perceived to be speaking with a myriad of voices on any topic. For example, an officer writes a piece voicing views on a current "hot" topic for submission to a journal, or an outside speech to an alumni association, or an op-ed for a newspaper, etc., etc. Despite whatever disclaimers an author might include stating that the comments are only personal views, the analysis nevertheless potentially comes to be seen as the CIA line on a topic, regardless of whether it is at variance with or in keeping with it. Next thing you know,

the published item is picked up with a banner headline proclaiming "CIA's views on topic XYZ!" The potential result is a very confused customer base for the Agency's official products that is left wondering "What do you guys out there really think on this topic?" It also has the potential of undercutting the "holiest of holies" regarding the Agency tenet that "we are the only government agency that provides analysis absent any policy ax to grind." [redacted]

In another variation on the appropriateness theme, an officer uses a personal blog to ruminate on a foreign situation; the risk in this case is that a foreign intelligence service picks up on the posting and claims that the Agency is interfering in the internal affairs of a key ally. These and any number of related scenarios are behind both the regulation's rationale and existing guidance from senior leaders prohibiting current employees from writ-

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The regulation also notes that such concerns [about appropriateness] may not be resolved or sufficiently mitigated by any of the usual disclaimers, such as the one appearing with this article. [redacted]

ing on policy issues, foreign relations issues, or intelligence-related matters—the danger lies in the risk of losing credibility by causing some to reasonably question whether the CIA was properly carrying out its independent, objective, and apolitical intelligence functions. The regulation also notes that such concerns may not be resolved or sufficiently mitigated by any of the usual disclaimers, such as the one appearing with this article. In the latest version of the regulation, the appropriateness standard was further clarified to include instances relating to engaging in public discussion of internal organizational operations, policies, and information. [redacted]

But that's only the first part of what writers should know about appropriateness. The second part lies within the regulation's outline of the Agency's legal authorization to deny publication of any materials that meet the standards in the text box on the preceding page. The seriousness of this admonition is reflected in the PRB's asking each author's supervisor not only to declare whether the manuscript contains classified material, but to consider the three standards for appropriateness. [redacted]

Okay, those are the basics of "appropriateness." I assume about now you are asking yourself: "Are you out of your mind? How could my manuscript ever spark such cataclysmic results?" And that was exactly my reaction until I began this assignment. But I was wrong. Let me give you just a few examples. [redacted]

- Personal blog postings not submitted to the PRB for review were taken out of context by foreign newspapers,

[redacted]

If the author had properly submitted the material to the PRB in advance of posting it, several sections most likely would have been denied as inappropriate for interfering with the authorized functions of the CIA and having an adverse effect on current foreign relations. [redacted]

- A draft screenplay for a proposed sitcom (a la "The Office") based on the daily workings of a supposedly fictional station drew on existing NCS tradecraft practices

and the personal experiences of the case-officer author to such an extent that the board determined the submission was really a work of nonfiction, and the manuscript was reviewed accordingly. [redacted]

- A dissertation proposal comparing [redacted] "failed" current counterinsurgency practices [redacted]

[redacted]

[redacted] was flagged for issues of appropriateness to include interfering with the authorized functions of the CIA, potentially having an adverse effect on the foreign relations of the United States, and commenting on current foreign relations and intelligence-related matters. In response, the board worked with the author to reframe the dissertation in a way that drew on historical examples [redacted]

and concluded with a series of counterinsurgency "lessons learned" that any policymaker might want to consider. [redacted]

[redacted]

• A superb, board-approved seminar paper for a graduate school course was resubmitted as a proposed article for an academic journal and, hence, widespread public dissemination. The manuscript centered on an in-depth, highly analytic comparison

In this case, the author's management team asked the board to deny publication based largely on the appropriateness clause that relates to a manuscript that could reasonably be expected to impair the author's performance of his or her job duties. This was based on the author's periodic briefings to consumers as a recognized expert.

Myths and Realities of the Process

The bad-cop spiel of the previous section probably has left many of you still reading this article wondering if anything is acceptable to publish. And you are probably now going to be blown away by my good-cop comeback: The reality is that almost everything makes it through the prepublication review process intact or with modifications that do not damage the integrity of the author's

message. Can I prove this? You bet. For starters, of the roughly 1,800 manuscripts submitted to the PRB for review in 2010, only five led to formal appeals of board decisions. Moreover, since 2009, the board has only denied-in-full for publication an average of six manuscripts per year.

How is this possible, you say? In response, let me offer a 15-question quiz—"PRB Myth or Reality"—I give to groups I talk to about the process. I don't claim the below encompasses all the issues raised by officers in their discussions with me, but I would wager they are the most common.

1-Myth or Reality? "The prepublication review process is unfair, arbitrary, capricious, and veiled in secrecy."

Answer: Myth. The process does not rely on a sole reviewer. Pieces are reviewed by PRB staff and board members with expertise in the work of their directorates. In the case of current contractors and employees, the author's COTR (contracting officer's technical representative) or supervisor is always tasked to make a determina-

tion on issues of classification, appropriateness and, if applicable, whether a contractor is allowed to publish a nonofficial manuscript. In all cases, determinations are based on the terms included in the regulation and any relevant current guidance by the Agency's senior leadership. All decisions are communicated to the author, who can submit any additional information bearing on the case and ask the board to revisit its initial decision. If the board upholds its original determination, the author may file a formal appeal that is referred for a final decision to the associate deputy director of CIA. The decision by the ADD/CIA is final.

2-Myth or Reality? "It only takes one board member to kill my manuscript."

Answer: Myth. Before the establishment of the fulltime board in 2007, various members of individual offices participated in board deliberations, and one veto was sufficient to deny publication of a manuscript. Since the advent of the fulltime board, any recommendation

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Students are subject to the same rules as all current employees and contractors (note for managers: this includes graduate fellows and interns).

to "deny-in-full" a manuscript for publication must be vetted by the full, voting board (one representative from each directorate, the DCIA area, and the chairman of the PRB). A majority must approve the recommendation or the manuscript cannot be denied-in-full. In case of a three-three tie, the director of Information Management Services casts the deciding ballot.

3-Myth or Reality? "I can write on any subject as long as I do not directly cover that account."

Answer: Myth. The "Agency-related" portion of the regulation concerning what needs to be submitted says that any mention of "material on any subject about which the author has had access to classified material." "So what?" you say. Well, if you work on the CIA's classified computer network, for example, you may have access to countless cables that have nothing to do with your current account.

Finally, outsiders are

highly unlikely to view your outside publication on country XYZ, for example, through the optic of "he/she doesn't work that account, so I guess it isn't really CIA analysis on country XYZ."

4-Myth or Reality? "The PRB doesn't review in a time-sensitive manner."

Answer: Myth. The PRB adopted a court's recommendation some 20 years ago that an author receive a response within 30 days or less. That said, the board strives to regularly beat that deadline, and current statistics indicate we do so approximately 92 percent of the time (at least over the past five years). Of course, many submissions are turned around in less than a couple of days and, in some cases, less than a couple of hours. This is particularly important to the students who often provide manuscripts asking for same day service and former officers penning time-sensitive editorials or op-eds. In all such cases, the board strives to meet the tight deadlines; after all, if officers are playing by the rules, we have no business not doing everything in our

power to assist them. A couple of caveats, however, are in order. Sending an 800-page memoir on a Monday morning and demanding a finished review within days just isn't going to cut it, though we are happy to send "update" letters to all such authors. My favorite was the 350-page dissertation I received asking for a complete review within two days so the author could submit it to his dissertation committee—the normal press of business usually makes it impossible to meet such deadlines. I simply ask potential submitters to be reasonable.

5-Myth or Reality? "School work doesn't count (to include work by graduate fellows, undergraduates, and current officers taking classes, either full-time or part-time), especially if the Agency is funding my continuing educational experience."

Answer: Myth. Students are subject to the same rules as all current employees and contractors (note for managers: this includes graduate fellows and interns). The inevitable follow-up question is "How in heck can I write all manner of policy prescriptive papers for undergraduate/graduate school under the current regulations?" The

answer is simple. Following the creation of the fulltime board in 2007, the members decided to exercise their authority to set "case law precedents," if you will, consistent with the "Constitution" and the existing guidance from the Agency's senior leaders. To address the requirement for students to submit papers in fulfillment of an academic requirement, the board decided to differentiate seminar and classroom-related papers from publishable theses and dissertations by applying the term "for classroom use only." Regarding the former, if the paper is only read by the professor or classmates, it is likely to receive PRB approval with the proviso that attempts to publish it in any other forum would require a separate PRB review. []

6-Myth or Reality? "I wrote a work of fiction and therefore I can say anything I want."

Answer: Myth. Well, sort of. In another initiative to establish some realistic "case law" regarding the review process, the board decided to apply what is colloquially termed "the James Bond literary genre test." In short, if the manuscript is deemed to fit in the category of current spy novels, the board applies a more lenient standard to

The PRB does not edit manuscripts, nor for that matter, does it perform spell checks or correct inaccurate facts. []

publication approval. However, it is the board—not the author—that decides whether or not the submission is actually fiction. For example, if the board determines that the tradecraft, operational details, or technology presented is very close to reality, the PRB reserves the right to categorize the manuscript as nonfiction and review it accordingly. []

7-Myth or Reality? "You guys have no right to edit my prose."

Answer: Reality. Absolutely, positively correct. The PRB does not edit manuscripts, nor for that matter, does it perform spell checks or correct inaccurate facts. The board also does not have the authority to declassify any submissions. It does, however, require deletion of classified (and inappropriate) material. []

8-Myth or Reality? "As a current employee or contractor, as long as I state up front that these are my own personal views, I can discuss virtually anything in a public forum."

Answer: Myth. The regulation (and the discussion of appropriateness above) points out that many of the

concerns raised in the appropriateness clauses are not resolved or sufficiently mitigated by the inclusion of a disclaimer; the board makes these decisions on a case-by-case basis. []

9-Myth or Reality? "The PRB treats every manuscript the same way, leaving little leeway for interpretive review."

Answer: Myth. The regulation clearly grants the PRB the right to assess each submission on a case-by-case basis in terms of context, content, and prevailing circumstances. This optic can extend, but is not limited to, such things as the currency of the subject matter and its relationship to a topic of public concern. []

10-Myth or Reality? "Contractors function under different rules than staff employees; they don't have to submit to the PRB."

Answer: Myth. Current contractors and current employees are subject to exactly the same rules. Submissions from both are reviewed for issues of classification and appropriateness. The only exception is for what the board has determined are "contractors of con-

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The board treats all submissions as proprietary... Each tasking is accompanied by a highlighted statement prohibiting further dissemination....

venience;" in those cases—usually those in which a contractor works less than a few hours per week or one or two days a month—the board takes a more lenient reviewing approach. This "case law precedent" was established by the board in response to the Agency's need to balance the retention of the expertise of publicly acknowledged substantive experts and their need to publish frequently to maintain their bona fides.

11-Myth or Reality? "Former employees 'get away' with much more than current employees."

Answer: Myth. Well, sort of. Former employees, who also signed secrecy agreements, are bound by the same rules as current employees regarding what they must submit for prepublication review. That said, works by former officers are only reviewed for classification—the appropriateness standard no longer applies. Officers who no longer officially represent the Agency can't jeopardize their "job duties" or the business of the Agency or the US government, short of publishing classified material.

12-Myth or Reality? "Once the PRB rules on my work, I have no recourse."

Answer: Myth. See the first "Myth or Reality" quiz question.

13-Myth or Reality? "The board 'shares' my manuscript with many other officers."

Answer: Myth. The board treats all submissions as proprietary. Although nonofficial manuscripts by current employees and contractors are sent to immediate supervisors or COTRs for review, no other officers outside the PRB are initially contacted for assistance. Each tasking is accompanied by a highlighted statement prohibiting any further dissemination and noting that the submission may be protected by US copyright laws. Supervisors and COTRs also are regularly instructed that any determination on their part to share reviewing responsibilities with another officer with more appropriate substantive expertise requires the supervisor or COTR to return the manuscript to the PRB; the board then assumes full responsi-

bility for tasking any other officer deemed to have a legitimate reviewing function.

14-Myth or Reality? "If I send my résumé to the PRB for review my career is toast because you will send it to my supervisor, who will learn that I am looking for another job."

Answer: Myth. A separate unit within the PRB is devoted solely to reviewing résumés. All employees and contractors (current and former) are required to submit résumés for review. Unlike manuscripts, however, résumés are never shared with supervisors or COTRs; PRB policy is that it is an officer's personal business regarding whether he/she is applying for another position or seeking to leave the Agency. At their discretion, however, officers may elect to share their drafts or approved résumés with their supervisors (which generally occurs when officers are applying for admission to academic programs, responding to requirements from outside organizations sponsoring highly competitive rotational assignments for Agency officers, etc.).

15-Myth or Reality? "The PRB often doesn't know what has already been released."

Answer: Myth. Although the PRB cannot know everything, one of the PRB's bulwarks is the expertise of its reviewing staff members. One of their primary responsibilities is to search records for "what has been released," using many reviewing tools, research techniques, and guidelines for dealing with complicated subjects. These range from, but are not limited to, dealing with relevant aspects of an author's cover status, identifying an ever-burgeoning set of internet research resources, cataloging associated regulations, and pursuing knowledge on virtually anything that might bear on the prepublication business. These might include issues you and I might not think were relevant, for example, knowing what NIEs have been published and their key points or what the PRB has approved or denied in the past and why.

In short, this prepublication job can't be done well without knowledge of a myriad of associated research developments. That would be impossible without the robust staff that supports the board. If you think your manuscript won't get a fair shake because the PRB operates in a historical or current-events vacuum, you couldn't be more wrong. As a final point, if you know of material that has

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been approved for public use that might be obscure and difficult for the staff to find, provide the information in a footnote and reduce the staff's research time—and possibly the time your manuscript is in review.

Sex, Senior Officers, and Senior Citizens: All in a Day's Work (U)

My experience on the board has led me to conclude that the explosion of publication vehicles available to would-be authors over the past several years is complemented by the willingness of authors to write on topics informally considered either off limits or virtually taboo only a few short years ago. In this regard, I think it's worth taking a look at some of the most illustrative within this literary arena, starting with the somewhat embarrassing (at least to some) and progressing to the more serious, at least in terms of the potential/inadvertent disclosure of classified information.

I bring up sex not for any prurient reason but rather to highlight the embarrassment of some supervisors in reviewing material they might personally label "smut" or "dirty." There is often a large dollop of embarrassment factored in the reviewing equation: "For goodness sakes, this author is in my

unit and I am slightly/significantly uncomfortable dealing with this person knowing that he/she wrote this stuff. Do I really have to review it?" The simple answer is yes, you do. Most of the material I am referring to comes from works of fiction in the "spy novel genre" in which storyline development may include steamy love scenes. A critical, associated point in highlighting this aspect of the prepublication process harkens back to one I made earlier in this article: this is proprietary information and must not be shared with anyone else, as tempting and amusing as it might be to talk about juicy bits with a couple of close colleagues.

Moving up the scale of seriousness, I might be considered remiss if I didn't deal with one of the largest elephants in the room: "DCIs and DCIAs get away with murder. There are different reviewing rules for them than for the rest of us." In reality, former senior officials are required to submit manuscripts for review for classified information—just like everybody else. A significant caveat is that prior to the establishment of the fulltime board in October 2007, vastly different review processes—and associated standards—existed for different eras. For example, for DCIs writing before 1976, the PRB did not exist; instead, through

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Since the establishment of the current board structure, all former DCIs and DCIAs have submitted material for review by the board.

the mid-1970s, the Office of Security usually reviewed manuscripts.

For more recent DCIs, the process was far more haphazard, inconsistent, and fragmented than it is today. Bob Gates' book, for example, was reviewed by several offices, but the PRB's sole responsibility at that time was to serve as the final compiler—not arbiter—of the accumulated results. In contrast, George Tenet's book took nearly two years to bring to closure. The reviewing effort, which occurred before the establishment of the fulltime board, tied up a miniscule PRB staff for months on end. Moreover, I believe the effort, were it to take place today, would greatly benefit from the guidance and contributions of experienced board members highly witting of the nuances of the prepublication process and drawing on "established case law" and associated precedents to deal with groundbreaking, complex, or contentious material and storylines.

Since the establishment of the current board structure, all former DCIs and DCIAs have submitted material for review by the board, and I can personally attest that all have been held to the same standards as any other author's work. By the

same token, the board has frequently worked to meet extremely short deadlines—again, as it often does for all authors requesting immediate review. Former Agency leaders are often in public demand, and their submissions have run the gamut from time-sensitive op-ed pieces, to prepared conference remarks, and to answers to potential questions from radio and television commentators. And yes, the board has deleted material from their submissions and often worked with them to reach compromises wherever possible—as we do with everybody else. By the same token, I would say that the current board would probably have deleted far more material from earlier works by former DCIs had the current processes been in place. Although history can't be changed, the board nevertheless has had no qualms in informing prolific authors that their submissions will be judged on existing standards, which in several cases has meant that what might have been allowed before will not make it today.

Finally, a growing number of aging former employees are submitting manuscripts dealing with past deeds and triumphs.

The logic behind many of these stories (as often expressed by the authors themselves) is that they and the Agency did laudable work that should be brought to the attention of their families and/or the American public, which all too often only hears about intelligence failures. Many of these former employees also harbor two very mistaken impressions. First, they believe that events that occurred many years ago can't possibly still be classified and hence, they have the right to draw on their experiences. Second, they frequently cite passages in outside sources as proof that their narratives do not contain classified information.

Unfortunately, those assumptions are simply wrong. Many operational details, as well as analytical judgments, from decades ago remain classified and no former employee is authorized to declassify them. Moreover, as with the writings of current officers, citations referring to such material in open source publications does not constitute declassification of the material; in short, if the Agency has not officially acknowledged or declassified the material in question, it remains classified.

Nevertheless, the prognosis is not all bad for such submissions. For example, in a case that stretched out over several years,

The partnership among prepublication entities around the IC represents an established relationship of several years.

a number of classified documents were subsequently declassified by the Agency in its regular course of business. As a result, many of the initial deletions to the manuscript were restored to the author. Such endings, however, are often the result of painstakingly slow processes (historical declassification and Freedom of Information Act decisionmaking) beyond the purview of the PRB, which has no authority to declassify documents. I would wager that with the projected retirement of many baby boomers over the next decade, the number of submissions by this group of former, highly literate officers is likely to resemble the exponential increase in manuscripts from current officers.

Joint Duty Assignments and the Growing Prepublication Partnership within the IC (U)

The CIA's PRB does not operate within a vacuum. With the advent of required joint-duty assignments and the increased number of CIA officers filling those slots, the board has received numerous queries along the following lines: "If I go on rotation to another agency, do I have to submit my materials to the PRB?" The simple answer is "yes and more." Those at other agencies are required to adhere to any prepublication regulations that exist at their host agencies as

well as those of the CIA. By the same token, IC officers on rotational assignments at the CIA must submit manuscripts to the CIA PRB and abide by the accompanying regulation, including issues of appropriateness. The objective is to continue to protect both the author's and the CIA's equities, no matter the assignment. The only exception is for those posted to the office of the Director of National Intelligence, which only reviews official manuscripts from officers on rotational assignment from other agencies; any nonofficial manuscripts by CIA authors are to be sent exclusively to CIA's PRB.

The working partnership among prepublication entities around the IC represents an established relationship of several years. That is not to say that all IC elements abide by the same prepublication guidelines—the reality is that all abide by different standards that relate to their individual agency's needs and mission. Nevertheless, it is standard procedure, and required by executive order, that each agency's reviewers forward manuscripts to sister agencies when it is determined that community equities are in play.

This networking also includes, at times, touching base with appropriate staff at the

National Security Council (NSC), and congressional committees. Regarding the latter, the writings of former staffers who signed CIA secrecy agreements are referred to the CIA's PRB for review. In all these cases, reviews are centered on preventing the inadvertent disclosure of classified materials and not issues of appropriateness, unless the authors are current CIA contractors or employees. The partnership works particularly well when the review entails examining extremely sensitive or time-related manuscripts; in those cases, it is not uncommon for reviewers to be invited to visit a sister agency to perform their reviews to preclude the need to pass proprietary materials between agencies.

With the advent of the CIA's fulltime board in 2007, the IC relationship further blossomed. At the Agency's initiative, heads (or their designated representatives) of each IC prepublications unit started meeting informally as a group at least a couple of times a year. The objective was to discuss common problems and, where appropriate, share potential solutions. Best practices regarding the efficiency of operations, from potential computer software aids to work processes, are also standard agenda items. In the coming years, it is likely such meetings will only grow in

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value as each agency struggles to keep abreast of new publication vehicles and their rising seas of writers.

"Everybody Has a Story to Tell": Parting Thoughts (U)

The regulation and guidelines pertaining to prepublication review can be confusing at best and downright indecipherable at worst. When these 20th century restrictions (as critics are wont to label them) slam headlong into an explosion of publication platforms unleashed by the information revolution of the first decade of the 21st century, something has to give. The situation is made more difficult by a growing acceptance of a new cultural standard that encourages putting even the most mundane private details on an infinite variety of subjects out for widespread public dissemination on a 24/7 basis. The potential result is that members of a highly literate, culturally attuned, increasingly youthful workforce—as well as their managers—inadvertently violate Agency rules and only find out when they receive post-publication review notices and possibly reprimands from the Office of Security.

It is for these reasons that I believe the creation of the first fulltime Publications Review

Board in CIA's history was of paramount importance to the protection of the current workforce. Many officers may not like the restrictions on outside publication, but that is the CIA's current operating system. I have argued, however, that the process affords authors the most efficient and timely means of processing and adjudicating their manuscripts based on an Agency-wide standard of treatment—an arrangement of critical importance in today's information environment.

More specifically, the establishment of several key precedents, in my opinion, has eliminated some highly detrimental past practices and ensured a more equitable review of manuscripts. The requirement for majority rule decisions by the board on any submission considered for "denied-in-full" status, for example, ensures that no directorate can ride roughshod over another by invoking a "one veto rule," as was the case in previous years. Having a designated senior officer with substantive expertise as a known point of contact for each directorate has been a boon to harried managers and staff alike. Finally, physically co-locating fulltime board members has greatly facilitated coordination on manuscripts that touch on the equities of several directorates.

I would conclude by noting that, in my opinion, the most critical aspect of my job is to balance an author's First Amendment rights and Agency equities and do all that I can to help officers playing by the rules to get their submissions published in an acceptable format. I have met great people with knowledge and expertise rivaling any university's and spent many hours adjusting manuscripts to meet prepublication requirements while making sure messages are not compromised. I have come to consider myself a problem solver of the first order, and I delight in the diversity and richness of material submitted to the PRB every day. I also fully agree with the charge to the PRB of former DCIA Michael Hayden, who, while affirming the need to circle the wagons around that which is truly secret, nevertheless strongly endorsed fostering a body of knowledge on the CIA that the people who pay our bills, the American public, can appreciate.

With that in mind, I urge all CIA employees who want to write to do so. Don't be intimidated by the regulation but work with the PRB to make your submission a published reality. The track record to date is overwhelmingly favorable, and the board stands ready to help whenever possible. Happy writing!

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