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**OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE  
INSTRUCTION NO. 2007-6**

**SUBJECT: THE OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE INSTRUCTION FOR ODNI PRE-PUBLICATION REVIEW OF MATERIAL PREPARED FOR PUBLIC DISSEMINATION**

1. **AUTHORITY:** The National Security Act, as amended; Executive Orders 12333 and 12958, as amended; Freedom of Information Act (FOIA); and The Privacy Act of 1974, as amended, and other applicable provisions of law.

2. **PURPOSE:**

A. Consistent with the Office of the Director of National Intelligence (ODNI) intent to improve outreach to academia, industry, and the public at large, this instruction establishes the requirements and process for review of materials prepared by persons covered by this instruction for unofficial publication or other forms of unofficial public dissemination to ensure the protection of classified information and, for current staff, assignees, detailees, and contractors, additional interests as outlined below. While the ODNI encourages outreach, this policy does not release persons from the obligation to fully comply with nondisclosure agreements or other secrecy agreements or alter the terms of such agreements. In case of any conflict between this document and a nondisclosure agreement or other secrecy agreement, the nondisclosure agreement or other secrecy agreement shall govern.

B. Pre-publication review is intended to prevent the disclosure of classified information, and, for current staff, assignees, detailees, and contractors, to ensure that neither the author's performance of duties, the ODNI's mission, nor the foreign relations or security of the U.S. are adversely affected by publication. This instruction supersedes CIA Regulation (AR) 6-2, as it applies to the ODNI. A separate Instruction to cover official publications and presentation will be issued at a later date.

3. **APPLICABILITY:** This instruction applies to all individuals granted access to classified information by the ODNI or who sign a nondisclosure agreement or other secrecy agreement, including current and former staff, assignees, detailees and contractors. Current and former assignees and detailees from home agencies that have a pre-publication review process shall submit materials to their home agency for review and provide notice to the ODNI as set out in paragraph 5.B. below.

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4. **POLICY:** Each individual granted access to classified information by the ODNI or who signs a nondisclosure agreement or other secrecy agreement shall submit to the ODNI, for prepublication review and approval in accordance with this Instruction. All materials intended for unofficial publication or unofficial public dissemination, whether they will be communicated in writing, speeches, electronically, or by any other method, that mention the ODNI, elements of the Intelligence Community (IC), or intelligence data or activity shall be submitted.

A. Materials must be submitted at each stage of their development prior to being circulated to anyone who does not have the requisite clearance. Circulating materials prior to completing the ODNI prepublication review process violates this instruction and the author's prepublication review obligation and ODNI reserves the right to conduct a post-publication review of any such material in order to take any necessary protective action to mitigate damage caused by such a disclosure.

B. In informal situations where no prepared remarks are delivered, each individual granted access to classified information by the ODNI or who signs a nondisclosure agreement or other secrecy agreement is responsible for remaining within the guidelines provided above.

C. When a co-author who has not signed an ODNI nondisclosure agreement or other secrecy agreement will contribute to a publication subject to pre-publication review, each version of the publication submitted for pre-publication review must clearly identify those portions of the publication that were authored by the individual with access to classified information or subject to the nondisclosure agreement or other secrecy agreement. Where there is any ambiguity concerning which individual wrote a section, and the section was not submitted for review, ODNI reserves the right to consider the section to be entirely written by the individual subject to the nondisclosure agreement or other secrecy agreement and therefore in violation of the individual's pre-publication review obligations.

D. The pre-publication review requirement does not apply to material that is unrelated to intelligence or to ODNI employment or contract matters (for example, material that relates to cooking, stamp collecting, sports, fraternal organizations, and so forth).

5. **ROLES AND RESPONSIBILITIES:**

A. **Current staff and contractors** covered by this policy are required to submit materials to the Director, Information Management Office (IMO). Requestors may seek one-time approval of publications related to recurring activities.

B. **Current and former assignees and detailees** whose home agency has a pre-publication review process shall submit materials to their home agency for review and provide notice to the Director, IMO. They do not need to submit their materials directly to the Director, IMO.

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**C. Current Supervisor:** In the case of current staff and contractors, the requestor's supervisor will provide the initial pre-publication review, and recommended disposition, to the Director, IMO. In reviewing the submission, the supervisor will apply the criteria applicable to current staff and contractors, as described below.

**D. Public Affairs Office (PAO):** PAO will be notified by the Director, IMO of all materials submitted for public dissemination. PAO will review all materials, particularly those that may be of interest to the media, and will provide a recommendation to the Director, IMO.

**E. Director, Information Management Office:**

(1) The Director, IMO is the central point for all requests submitted by current ODNI staff and contractors, current and former assignees and detailees whose home agency does not have a pre-publication review process, and former ODNI staff and contractors. The Director, IMO will prioritize and refer requests to other ODNI organizations including but not limited to the Deputy Directors and Mission Managers, PAO, the Office of General Counsel, and other offices as appropriate. Copies should not be circulated beyond those officials participating directly in the process. The Director, IMO will maintain records of all pre-publication review requests and actions. The Director, IMO will monitor pre-publication review cases, and assist applicants with problems, helping to track cases in progress and provide final guidance to the requestor.

Standard for review:

- (a) For former staff and contractors and former assignees and detailees whose home agency does not have a pre-publication review process, material proposed for publication or public dissemination will be reviewed solely to determine whether it contains any classified information. Permission to publish will not be denied because the material may be embarrassing to or critical of the ODNI or the IC.
- (b) For current staff and contractors and current assignees and detailees whose home agency does not have a pre-publication review process, in addition to the prohibition on revealing classified information, the Director, IMO may deny permission to publish materials 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 ODNI, or
  - c. Have an adverse effect on the foreign relations or security of the U.S.

(2) If any ODNI organization objects to the publication of some or all of the materials submitted, the IMO will work with the objecting organization to determine which portions of the material submitted will be approved for publication. If resolution between the Director, IMO and the objecting organization cannot be reached, the Director, IMO shall refer the question to the Principal Deputy Director of National Intelligence (PDDNI) for final resolution.

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(3) The Director, IMO will respond to the requestor as expeditiously as possible taking into account the time sensitive nature of the submission, but not later than 30 days from the date of submission. If the Director, IMO cannot meet the 30-day deadline, the requestor will be notified of a new decision date. The Director, IMO's failure to respond to the requestor within 30 days does not constitute approval/clearance and the obligation to submit to pre-publication review is not satisfied until a response is actually received from the Director, IMO.

**F. Former staff and contractors and former assignees and detailees whose home agency does not have a pre-publication review process:** Questions regarding submission and/or requests from former staff, and contractors and from former assignees and detailees whose home agency does not have a pre-publication review process should be submitted as follows:

E-mail – [publicationreview@dni.gov](mailto:publicationreview@dni.gov)

Fax – 703-482-2144 (ATTN. Director, Information Management Office)

Mail – Director, Information Management Office

Office of the Director of National Intelligence  
Washington DC, 20511

(1) When materials are particularly time-sensitive, the requestor should note the time constraints in the approval request and every effort will be made to meet them.

(2) Requestors must not submit possibly classified information using the methods described above. Such information must be treated as classified and the requestor must make appropriate arrangements with the IMO to properly submit such materials.

## **6. REQUIRED DISCLAIMER:**

A. Approval for publication does not imply endorsement. The following disclaimer must be provided in intelligence-related publications created by current ODNI staff and contractors and by current assignees and detailees whose home agency does not have a pre-publication review process when they are acting in their personal capacity:

“The views expressed in (this publication/these remarks) are my own and do not imply endorsement by the Office of the Director of National Intelligence or any other U.S. Government agency.”

B. Former ODNI staff, assignees, detailees and contractors are not required to provide this disclaimer, as it is understood they do not speak for the ODNI.

**7. OTHER PRE-PUBLICATION OBLIGATIONS:** This instruction does not supersede any other U.S. Government policy regarding pre-publication review that applies to any staff, assignees, detailees and contractors during their tenure with the ODNI. The Director, IMO will provide guidance to the requestor if additional agency reviews of the material are needed, and any such reviews may take place concurrently

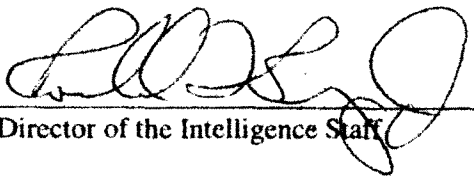
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with ODNI review. In the case of a conflict between ODNI and agency reviews, the Director, IMO will contact the other agency as soon as possible to obtain a resolution.

8. **APPEALS:** If publication is denied in whole or in part by the ODNI, the Director, IMO must provide the reasons in writing to the requestor. The requestor may then submit additional information and/or revise the draft and request reconsideration. If publication is again denied, the requestor may submit a written appeal within 30 days to the PDDNI; appeal documentation must include the material intended for publication and any supporting materials the appealing party wishes to be considered. A final decision will then be reached by the PDDNI; in consultation with Deputy Directors, Mission Managers or other officials as appropriate. The PDDNI shall issue a written decision on the appeal within 30 days of submission unless additional time is needed.

9. **PENALTY FOR NON-COMPLIANCE:** Failure to comply with prepublication review obligations may result in the imposition of civil and/or administrative penalties.

10. **EFFECTIVE DATE:** This ODNI Instruction becomes effective on the date of signature.

  
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Director of the Intelligence Staff

7/25/07  
Date