

This document is made available through the declassification efforts
and research of John Greenewald, Jr., creator of:

The Black Vault

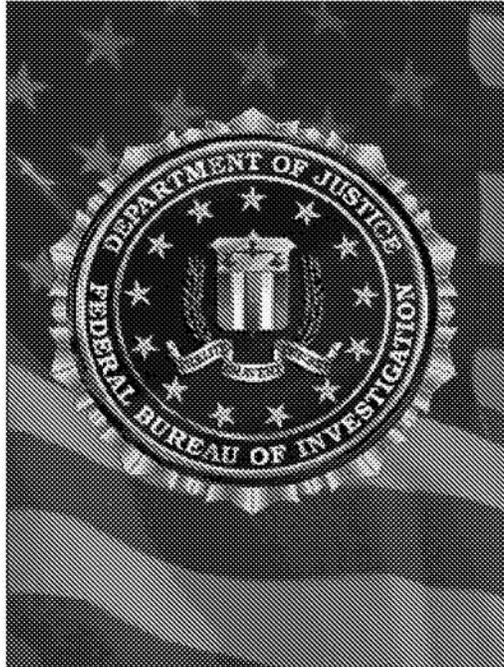


The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

Discover the Truth at: <http://www.theblackvault.com>

UNCLASSIFIED
Prepublication Review Policy Guide

Prepublication Review Policy Guide



**Federal Bureau of Investigation
Records Management Division**

0792PG

June 04, 2015

UNCLASSIFIED

UNCLASSIFIED
Prepublication Review Policy Guide

General Information

Questions or comments pertaining to this policy guide (PG) can be directed to:
Federal Bureau of Investigation Headquarters
Records Management Division
Record/Information Dissemination Section (RIDS) front office: (540) 868-4400

Supersession Information

This policy guide supersedes the *Prepublication Review (PR) Manual* (POL05-0001-RMD)
dated September 15, 2005.

This document and its contents are the property of the Federal Bureau of Investigation
(FBI). If the document or its contents are provided to an outside agency, it and its
contents are not to be distributed outside of that agency without the written permission of
the unit or individual(s) listed in the contact section of this policy.

UNCLASSIFIED
Prepublication Review Policy Guide

Table of Contents

1.	Introduction.....	1
1.1.	Background	1
1.2.	Purpose	2
1.3.	Scope	2
2.	Roles and Responsibilities	3
2.1.	Records Management Division	3
2.2.	RMD Assistant Director (AD)	3
2.3.	Record/Information Dissemination Section	3
2.4.	Federal Bureau of Investigation Headquarters (FBIHQ) Divisions, Field Offices (FO), and Legal Attachés (Legat)	3
2.5.	FBI Personnel	3
3.	Policies.....	4
3.1.	Prepublication Policy	4
4.	Procedures and Processes.....	5
4.1.	Prepublication Policy Scope.....	5
4.1.1.	Oral, Written, or Electronic Disclosures	5
4.1.2.	Extemporaneous Oral Disclosures	5
4.1.3.	Disclosures Not Subject to Prepublication Policy	5
4.1.4.	Prohibited Disclosures	6
4.1.5.	Accountability for Permitted Disclosures	7
4.2.	Prepublication Procedures.....	8
4.2.1.	Submission of a Prepublication Review Requests	8
4.2.2.	Submissions that Contain Operational or Intelligence Matters	8
4.2.3.	Submissions Developed in Pursuit of Academic Degrees	9
4.2.4.	Submissions Involving Human-Based Research	9
4.3.	RMD Prepublication Review	9
4.3.1.	RMD Response Time.....	10
4.3.2.	Appealing an Adverse Decision.....	10
4.3.3.	Post-Disclosure Reviews	10
5.	Summary of Legal Authorities	11
6.	Recordkeeping Requirements.....	12

List of Appendices

<i>Appendix A: Final Approvals</i>	<i>A-1</i>
<i>Appendix B: References</i>	<i>B-1</i>
<i>Appendix C: Definitions and Acronyms</i>	<i>C-1</i>

UNCLASSIFIED
Prepublication Review Policy Guide

1. Introduction

1.1. Background

Under the First Amendment to the United States Constitution, Americans enjoy the right to free speech, which includes a right to publish. However, with regard to public employees, particularly Federal Bureau of Investigation (FBI) personnel, this right must comport with the FBI's significant law enforcement and national security responsibilities and the FBI's interest in maintaining effective and efficient operations. Accordingly, in matters concerning the use of FBI information, it is necessary for the FBI to protect its information from disclosures that could endanger substantial government interests. The *Prepublication Review Policy Guide* sets forth program guidance relating to the disclosure of FBI information outside of official use and ensures adequate protections for FBI personnel's constitutionally protected rights as citizens.

All information created and acquired by current and former employees and government contractor employees (hereinafter collectively referred to as "FBI personnel") in connection with official FBI duties, as well as all official material to which FBI personnel have access, is the property of the United States. FBI personnel must surrender all materials in their possession that contain FBI information upon FBI demand or upon separation from the FBI. Unauthorized disclosure, misuse, or negligent handling of FBI information could adversely affect national security, place human life in jeopardy, result in the denial of due process, obstruct justice, prevent the FBI from effectively discharging its responsibilities, or violate federal law.

Before disclosing FBI information outside of their official duty requirements, FBI personnel must submit the proposed disclosures to the Record Management Division's (RMD) Record/Information Dissemination Section (RIDS) Prepublication Review Office for review. This prepublication review affords the FBI the opportunity to (1) assess whether the proposed disclosure includes prohibited information, (2) advise submitting FBI personnel of any such concerns, and (3) work with the submitter to resolve such concerns.

The prepublication review process enables the FBI to undertake other lawful actions in appropriate cases to protect its missions and operations. This could include pursuing lawful efforts to prevent a prohibited disclosure, such as seeking an injunction, or to mitigate potential harm resulting from an impending disclosure. All FBI personnel are obligated to comply with prepublication review requirements by virtue of this PG, as well as by the "FBI Employment Agreement" (FD-291), signed by all FBI personnel as a condition of employment; by analogous forms, such as the "Nondisclosure Agreement for Joint Task Force/Contract Members" (FD-868), signed by task force members, contractors, and the like; by the "Classified Information Nondisclosure Agreement" (SF-312), signed by all FBI personnel as a condition of being granted access to classified information; and by the "Sensitive Compartmented Information (SCI) Nondisclosure

UNCLASSIFIED
Prepublication Review Policy Guide

Agreement” (Form 4414), signed by all FBI personnel with access to SCI information as a condition of such access.

1.2. Purpose

This policy guide (PG) outlines specific policies and procedures regarding prepublication review and establishes requirements regulating individual conduct.

1.3. Scope

This PG applies to all FBI personnel, which encompasses current and former FBI employees, government contractor employees, assignees, task force officers, task force members, task force participants, interns, or other individuals who—through their relationship with the FBI—currently have, or had access to, FBI information. The term “FBI personnel” is defined as individuals employed by, detailed to, or assigned to the FBI, including members of the armed forces; experts or consultants to the FBI; industrial or commercial contractors, licensees, certificate holders, or grantees of the FBI, including all subcontractors; personal service contractors of the FBI; or any other category or person who acts for, or on behalf of, the FBI, as determined by the FBI Director.

2. Roles and Responsibilities

2.1. Records Management Division

The RMD is responsible for providing guidance on all prepublication review issues, including those not explicitly covered in this PG.

2.2. RMD Assistant Director (AD)

The RMD AD oversees a comprehensive, FBI-wide prepublication review program. The RMD AD also serves as the final decision maker on adverse decision appeals. Exceptions to this are addressed in [subsection 4.2.4](#) of this PG, "[Appealing an Adverse Decision](#)."

2.3. Record/Information Dissemination Section

RIDS establishes and disseminates policies and procedures governing the development, coordination, and overall management of the prepublication review program. RIDS also is responsible for reviewing and approving prepublication submissions.

2.4. Federal Bureau of Investigation Headquarters (FBIHQ) Divisions, Field Offices (FO), and Legal Attachés (Legat)

FBIHQ division/FO/Legat heads, or their designees, are responsible for designation of subject matter experts to review prepublication submissions, as requested by RMD.

2.5. FBI Personnel

All FBI personnel are obligated to comply with prepublication review requirements by virtue of this PG, as well as the "[FBI Employment Agreement](#)" (FD-291), signed by all FBI personnel as a condition of employment; by analogous forms, such as the "[Nondisclosure Agreement for Joint Task Force/Contract Members](#)" (FD-868), signed by task force members, contractors, and the like; by the "[Classified Information Nondisclosure Agreement](#)" (SF-312), signed by all FBI personnel as a condition of being granted access to classified information; and by the "[Sensitive Compartmented Information \(SCI\) Nondisclosure Agreement](#)" (Form 4414), signed by all FBI personnel with access to SCI information as a condition of such access.

Disclosure of Department of Justice (DOJ)/FBI information in federal or state proceedings is subject to the provisions of Title 28 Code of Federal Regulations (CFR) Part 16, Subpart B. FBI personnel who wish to make court appearances or respond to subpoenas in a personal capacity—which could require them to divulge FBI information—must contact their respective chief division counsels (CDC) or the Office of the General Counsel (OGC) for additional guidance.

3. Policies

3.1. Prepublication Policy

In light of the FBI's significant responsibilities to protect national security and ensure the effective enforcement of federal laws that could be compromised by disclosing FBI information to unauthorized recipients, it is FBI policy that prior to any proposed disclosure of FBI information (outside of official duty requirements), all FBI personnel must comply with the prepublication review process as described in this section.

Determinations made with respect to prepublication will consider rights protected by the First Amendment to the United States Constitution, the relationship between the individual's expression and his or her employment, and the potential of the proposed disclosure to affect FBI operations. FBI personnel who fail to comply with the prepublication review process or who make prohibited disclosures are subject to administrative actions, clearance revocations, disciplinary actions, civil suits, and/or criminal sanctions, as appropriate.

The legality or propriety of a disclosure will be reviewed during the prepublication review. The FBI prepublication review process does not encompass factual accuracy or grammar checks of the proposed disclosure. Similarly, completion of the prepublication review process does not constitute an FBI endorsement of the author or the material disclosed. Compliance with this PG does not relieve FBI personnel from the obligation to comply with FBI outside employment rules or the "Standards of Ethical Conduct for the Executive Branch," including any applicable limitations on compensation. It is the author's obligation to seek guidance from the RMD and the Office of Integrity and Compliance (OIC) on all prepublication review issues not explicitly covered in this section.

All provisions of this PG are severable. If a court should determine that any provision is unenforceable, that provision would be void, but the remainder would continue in full force.

4. Procedures and Processes

4.1. Prepublication Policy Scope

4.1.1. Oral, Written, or Electronic Disclosures

This policy applies to any oral, written, or electronic disclosure of FBI information by FBI personnel for any purpose identified in [subsection 4.1.4.](#) of this PG. Examples of disclosures include, but are not limited to, blogs, Web sites, articles, and books. This PG also applies to disclosures of drafts, initial manuscripts, and similar preliminary works to anyone, including attorneys. The only exception to this rule is for disclosures by FBI personnel who are testifying as defendants in criminal cases in the United States. In that limited situation, this does not cover disclosures made during testimony or during privileged conversations between FBI personnel and their attorneys.

4.1.2. Extemporaneous Oral Disclosures

By their very nature, completely extemporaneous oral disclosures cannot be reviewed in advance. This does not mean FBI personnel may disregard the requirements of this section when making oral disclosures. Except in those rare instances where deferring comment would not be practicable due to unusually compelling circumstances beyond an individual's control, FBI personnel must defer comment until they can comply with this policy. If an individual reasonably concludes that deferring comment is not practicable, he or she may be subject to postdisclosure administrative action, discipline, and/or criminal sanctions, if warranted by the content of the disclosure.

Example: An FBI supervisor is participating in a widely attended social event. A congressman asks about a closed investigation centered in his district. The supervisor provides a brief overview of the investigation and, while doing so, discloses classified information. Under these circumstances, the supervisor may not be sanctioned for violating this policy, but may be sanctioned for disclosing classified information.

4.1.3. Disclosures Not Subject to Prepublication Policy

- Disclosures that clearly have nothing to do with the FBI or its activities, investigations, missions, or operations and are not otherwise related to any FBI information are not subject to this PG.

Example: A book of children's stories, an article on stamp collecting, a letter to an editor addressing a proposed sewer bond, or an outline of a presentation on the War of 1812 need not be submitted for prepublication review.

- Official speeches, writings, and publications made in the performance of official duties are outside the scope of this PG.
- FBI personnel who wish to make court appearances or respond to subpoenas in a personal capacity, which could require them to divulge FBI information, must contact their CDCs or OGC for additional guidance and are not required to

UNCLASSIFIED
Prepublication Review Policy Guide

undergo prepublication review. Disclosure of FBI information in federal or state proceedings is subject to the provisions of 28 CFR Part 16, Subpart B.

- Disclosures protected by law include the following:
 - Title 5 United States Code (U.S.C.) Section (§) 7211 (governing disclosures to Congress)
 - 10 U.S.C. § 1034, as amended by the Military Whistleblower Protection Act (governing disclosure to Congress by members of the military)
 - 5 U.S.C. § 2302(b)(8), as amended by the Whistleblower Protection Act (governing disclosures of illegality, waste, fraud, abuse, or public health or safety threats).
 - The FBI Whistleblower Protection Act (5 U.S.C. § 2303 and 28 CFR Part 27) (governing disclosures of illegality, mismanagement, waste, fraud, abuse, or public health or safety threats).
 - The Intelligence Identities Protection Act of 1982 (50 U.S.C. § 421, et seq.) (governing disclosures that could expose confidential government agents).
 - Statutes that protect against disclosure and may compromise national security, including 18 U.S.C. §§ 641, 793, 794, 798, and 952 and § 4(b) of the Subversive Activities Act of 1950 (50 U.S.C. § 783(b)).

4.1.4. Prohibited Disclosures

FBI personnel must not disclose the following types of information to unauthorized recipients, except in the performance of official duties or as authorized by the RMD:

- Information protected from disclosure by the Privacy Act of 1974, as amended.
- Classified information that is classified and the disclosure of which could harm national security. To the extent that proposed disclosures involve classified information, prepublication review processing will be conducted in conformance with 28 CFR § 17.18, in addition to 28 CFR Part 16.
- Information that reveals sensitive law enforcement, intelligence, counterintelligence, or counterterrorism techniques, sources, or methods of the FBI or any other governmental entity.
- Information that would reveal grand jury material protected from disclosure by Rule 6(e) of the Federal Rules of Criminal Procedure.
- Information that would tend to reveal the identity of a confidential source or the identity of a private institution or a government agency or authority when the information was furnished on a confidential basis.
- Information that relates to any sensitive operational details or the substantive merits of any ongoing or open investigation or case.
- Proprietary information and trade secrets.

UNCLASSIFIED
Prepublication Review Policy Guide

- Information pertaining to wiretaps or intercepts, electronic communications (including storage mechanisms), or foreign intelligence protected or regulated by Title III (18 U.S.C. §§ 2510-2520) or the Foreign Intelligence Surveillance Act (FISA) (50 U.S.C. §§ 1801-1862).
- Information pertaining to currency transaction reports regulated or protected by 31 U.S.C. §§ 5313-5319.
- Tax return information regulated or protected by 26 U.S.C. § 6103.
- Information pertaining to contractor bids or proposals or source-selection information before the award of the procurement contract to which the information relates.
- The disclosure of any other information that is prohibited by executive order (EO) or regulation. Any other information that the FBI would have discretion to withhold from disclosure pursuant to civil discovery obligations, the Freedom of Information Act, or any other statute, law, or regulation.

4.1.5. Accountability for Permitted Disclosures

Disclosures will not be prohibited, pursuant to this PG, solely because they are critical or disparaging of the FBI, the government, or any individual. Any disclosures by current FBI personnel, however, that adversely affect the ability to effectively and efficiently fulfill their official responsibilities or that interfere with FBI operations may subject the individuals to administrative or disciplinary actions for the consequences of the disclosures. Examples of disclosures that are not prohibited under this PG, but still may subject FBI personnel to disciplinary actions are the disclosures of private grievances and disclosures that significantly impair discipline or harmony among co-workers. These types of disclosures could have detrimental impacts on close working relationships where personal loyalty or confidence is necessary, impede the performance of the duties of FBI personnel, or interfere with regular FBI operations. In such cases, FBI personnel will not be prohibited from making such disclosures, but they may be held accountable for the consequences of the disclosures.

FBI personnel may ordinarily speak or write about matters unrelated to their employment if they are expressing their personal views. However, when expressing such views to an audience that is aware of an individual's FBI employment, FBI personnel must make clear that they are stating their personal opinions, not the opinions of the FBI, and not their official opinions as FBI employees, contractors, or other members of FBI personnel.

Example: An employee is involved in and makes public statements regarding a neighborhood campaign to prevent the construction of a national superstore. The employee must not volunteer that he or she is an FBI employee. If the nature of the employment is already known or becomes known, the employee must affirmatively advise those who know this that any opinions or actions are personal and not the actions or opinions of the FBI.

UNCLASSIFIED
Prepublication Review Policy Guide

Example: An employee makes public statements regarding substantial premium increases in one of the health plans available to federal employees. Because the employee's federal employment is relevant to his standing in the matter, he may identify himself as a federal employee eligible for the plan (not as an FBI employee), but he also must affirmatively advise that he is expressing his personal opinion and is not acting on behalf of a federal agency or expressing any federal agency's opinion.

Certain matters of significant public concern are so closely related to the responsibilities and missions of the FBI that there is a significant likelihood that any comments on such matters by FBI personnel will be perceived as reflecting an individual's official view in his or her official capacity with the FBI. Therefore, when communicating on matters closely related to the responsibilities, missions, or operations of the FBI, FBI personnel must make absolutely clear that they are expressing their personal opinions. Further, certain personnel may be precluded from publicly communicating their personal opinions on particular matters. For example, it may be inappropriate for a senior FBI official to publicly express his or her personal view regarding matters within the jurisdiction of the FBI. This is because others are likely to perceive the personal views of a senior management employee possessing substantial policy-making authority as indistinguishable from his or her official position as a senior FBI manager.

Example: A professional staff employee in administration (whose only information comes from media reports) makes public statements regarding a local park widely known for drug trafficking. The employee must not volunteer the information that she is an FBI employee. If the nature of the employee's employment is already known or becomes known, she must affirmatively advise those who know of her employment that she is expressing her personal opinion and not acting on behalf of, or expressing the opinion of, the FBI.

4.2. Prepublication Procedures

4.2.1. Submission of a Prepublication Review Request

In general, FBI personnel must submit the full text of all proposed disclosures of FBI information to the RMD at least 30 business days in advance of the proposed disclosure.

Material should be submitted to the prepublication review coordinator either by unclassified e-mail at FBIPREPUB@ic.fbi.gov or by mail addressed to the Prepublication Review Office, Records Management Division, 170 Marcel Drive, Winchester, Virginia 22602-4842.

4.2.2. Submissions that Contain Operational or Intelligence Matters

When a submission contains operational or intelligence matters, it is unrealistic to assume the proposed disclosure will be reviewed within 30 business days. Prepublication review submissions must be made in writing, even if oral disclosure is contemplated. Although RMD will endeavor to review materials in a timely manner, the FBI prepublication

UNCLASSIFIED
Prepublication Review Policy Guide

review requirement will not be satisfied until reviews are complete and authors have been notified.

4.2.3. Submissions Developed in Pursuit of Academic Degrees

During their FBI employment, FBI personnel occasionally elect to pursue academic degrees that require them to conduct research-based studies, write thesis papers, or create other projects as part of their educational pursuits. To the extent information contained in an education-related product is the type of FBI information prohibited from disclosure under [subsection 4.1.4.](#), that document constitutes an oral, written, or electronic disclosure within the scope of this PG and must be submitted for prepublication review. Because of the nature of academic studies and the deadlines often associated with completing academic work, FBI personnel are highly advised to submit any abstracts that describe, in sufficient detail, the scope of work to be completed in order to secure preliminary approval of the desired submission's subject, as well as information reasonably foreseen to be contained in any resulting publication. Upon the author's finalization of the submission, he or she must submit the document under prepublication review for final review and approval.

4.2.4. Submissions Involving Human-Based Research

FBI personnel seeking publication based on research conducted on human subjects are required to receive approval by the FBI Institutional Review Board (IRB) prior to submitting any publication for review to the RMD. The IRB is responsible for all research projects that involve human subjects and are not otherwise exempt. For an overview of the IRB, see the "[Overview of the Institutional Review Board.](#)"

The IRB may approve the project, reject the project, or require modifications in order for the project to be approved. Approved projects involving human-based research are subject to continuing review by the IRB at least once per year. If the IRB determines an approved project has failed to meet the yearly continued review requirement in a timely manner; has not been conducted in accordance with its requirements; or has resulted in unexpected, serious harm to the subjects, the project may be suspended. The RMD will not review any publication that has failed to receive initial IRB approval or any subsequent requisite IRB approvals.

4.3. RMD Prepublication Review

The RMD will conduct the prepublication review, answer questions from FBI personnel about the prepublication review process, and review and process all requests as follows:

- The text of any proposed disclosure submitted for prepublication review is presumed to be proprietary and must not be disseminated to any person who does not have an official need to know such information.

Example: An employee submits a manuscript for review that discusses a past FBI/Central Intelligence Agency (CIA) operation that has been the subject of intense congressional review. The RMD may seek the assistance of the CIA in reviewing the manuscript. Additionally, the RMD may inform the Office of Congressional Affairs (OCA) of the likely

UNCLASSIFIED
Prepublication Review Policy Guide

publication so that OCA may be prepared for subsequent congressional or press inquiries.

- If the RMD concludes that no review is required, it will inform the individual in writing.
- If the RMD concludes that a review is required, it will conduct the review.
- The RMD may consult or coordinate with any person who can assist in determining how to proceed with the prepublication review process. This may include seeking assistance to assess the content or potential impact of the proposed disclosure or to initiate appropriate responses to the proposed disclosure. In such instances, the proposed disclosure will be forwarded to the FBIHQ division(s) that has subject matter expertise concerning the proposed disclosure. FBIHQ division heads must designate a point of contact for prepublication review coordination.
- If the proposed disclosure includes material the RMD finds cannot be disclosed, RMD will notify the submitter and propose modifications that would be acceptable. The RMD will work with the individual and attempt to resolve all concerns.

4.3.1. RMD Response Time

In general, the RMD will respond to a request for a prepublication review within 30 business days of receipt of all required materials. (The day of receipt is not counted for purposes of calculating the 30 business day period, but the day of response is included.) Additional time may be necessary for sensitive, voluminous, or technical submissions. If the review requires additional time, RMD will provide periodic progress reports and will advise the submitter of the anticipated completion date.

4.3.2. Appealing an Adverse Decision

FBI personnel receiving an adverse decision may appeal that decision to the RMD's AD, who will act pursuant to a delegation of authority from the Director. The decision of the RMD's AD is final, with the exception of decisions relating to the deletion of classified information, which may be appealed to the deputy Attorney General pursuant to 28 CFR § 17.18.

4.3.3. Post-Disclosure Reviews

Actual disclosures are subject to post-disclosure reviews. An individual may be subject to a post-disclosure administrative or disciplinary action if the disclosure adversely affects the ability of another person to effectively and efficiently fulfill his or her official responsibilities (including disclosures of private grievances or information that impairs discipline or harmony among co-workers) and thus has a detrimental impact on the work environment, impedes the performance of the employee's duties, or interferes with the regular operations of the FBI.

5. Summary of Legal Authorities

The following legal summaries are cited in this PG and provide additional information for understanding the policies and procedures set forth in this PG.

- To the extent that proposed disclosures involve classified information, prepublication review processing will be conducted in conformance with 28 CFR § 17.18.
- 5 CFR Part 2635 (Standards of Conduct) and 5 CFR Part 3801 (Supplemental Standards of Conduct for Employees of the Department of Justice).
- FBI personnel who wish to make court appearances or respond to subpoenas in their personal capacities, which could require them to divulge FBI information, should contact their CDCs or the OGC for additional guidance. Disclosure of DOJ/FBI information in federal or state proceedings is subject to the provisions of 28 CFR Part 16, Subpart B.

The following legal authorities provide guidance with respect to certain prohibited disclosures:

- Information protected from disclosure by the Privacy Act of 1974 (5 U.S.C. § 552a), as amended.
- Information that would reveal grand jury material protected from disclosure by Rule 6(e) of the Federal Rules of Criminal Procedure.
- Information pertaining to wiretaps or intercepts, electronic communications (including storage mechanisms), or foreign intelligence protected or regulated by Title III (18 U.S.C. §§ 2510-2520) or FISA (50 U.S.C. §§ 1801-1862).
- Information pertaining to currency transaction reports regulated or protected by 31 U.S.C. §§ 5313-5319.
- Tax return information regulated or protected by 26 U.S.C. § 6103.
- Any other information that the FBI would have discretion to withhold from disclosure pursuant to civil discovery obligations; the Freedom of Information Act (5 U.S.C. § 552); EO 13526 (Classification of National Security Information); or any other statute, law, or regulation.

Appealing a prepublication decision:

- FBI personnel may appeal an adverse decision to the RMD's AD. The AD will act pursuant to a delegation of authority from the Director. The decision of the RMD's AD is final, except in decisions relating to the deletion of classified information, which may be appealed to the deputy Attorney General per 28 CFR § 17.18.

6. Recordkeeping Requirements

All FBI personnel are obligated to comply with prepublication review requirements by virtue of this provision, as well as by the FBI Employment Agreement (FD-291), signed by all FBI personnel as a condition of employment; by analogous forms, such as the "Nondisclosure Agreement for Joint Task Force/Contract Members" (FD-868), signed by task force members, contractors, and the like; by the "Classified Information Nondisclosure Agreement" (SF-312), signed by all FBI personnel as a condition of being granted access to classified information; and by the "Sensitive Compartmented Information (SCI) Nondisclosure Agreement" (Form 4414), signed by all FBI personnel with access to SCI information as a condition of such access.

In addition, prepublication review files contain copies of proposed publications (e.g., manuscripts, articles, and pamphlets); correspondence between the prepublication review staff and subject matter experts; notes; and correspondence with the author, including objections to the release of certain information and/or requests to modify portions of the publication. In the past, the review files were organized by the author's last name; however, beginning in 2004, the review files were assigned a chronological number based on the date of submission. Records documenting the evaluation process include a copy of the publication, reviewer's notes, comments from subject matter experts, and correspondence with the author.

These files are permanent records; they will be transferred to the National Archives and Records Administration (NARA) ten years after completion of review or after final adjudication of litigation, whichever is later, in accordance with NARA Disposition Authority N1-065-05-6. Because files created prior to 2004 are not arranged by date, they will be managed and transferred as a collection.

Records relating to requests that do not require FBI review are temporary records. These records are deleted/destroyed one year after file cutoff. Files are cut off at the end of the fiscal year.

UNCLASSIFIED
Prepublication Review Policy Guide

Appendix A: Final Approvals

POLICY TITLE: <i>Prepublication Review Policy Guide</i>	
Primary Strategic Objective	P10- Enhance trust and confidence in the FBI
Publish Date	2015-06-04
Effective Date	2015-06-04
Review Date	2018-06-04
EXEMPTIONS	
None	
APPROVALS	
Sponsoring Executive Approval	Michelle A. Jupina Assistant Director Records Management Division
Final Approval	Kevin L. Perkins Associate Deputy Director

UNCLASSIFIED
Prepublication Review Policy Guide

Appendix B: References

The following are references pertaining to information in this PG:

- *FBI Ethics and Integrity Program Policy Directive and Policy Guide, 0754DPG* (“Outside Employment”)
- *Work Schedule Corporate Policy Directive and Policy Implementation Guide, 0576DPG* (“Part-Time Special Agent Employment Program”)

UNCLASSIFIED
Prepublication Review Policy Guide

Appendix C: Definitions and Acronyms

Assignee: any person assigned a task with FBI-related material.

FBI employee: a full-time equivalent employee of the FBI who is authorized to represent the Bureau in matters involving official government business.

FBI information: any knowledge gained through FBI employment or assignments related to the FBI.

FBI personnel: individuals employed by, detailed to, or assigned to the FBI, including members of the armed forces; experts or consultants to the FBI; industrial or commercial contractors, licensees, certificate holders, or grantees of the FBI, including all subcontractors; personal service contractors of the FBI; or any other category or person who acts for, or on behalf of, the FBI, as determined by the FBI Director.

Government contractor employee: an employee of a contractor organization conducting business with the FBI, U.S. DOJ, or other federal government agency.

Intern: a person working for the FBI under special appointment.

Prepublication review: the process whereby FBI-related information is reviewed for potential approval for distribution to external sources.

Prohibited disclosure: specific information that is not releasable to external sources.

Proposed disclosure: FBI-related information for possible release to external sources.

Task force officer: See the *Domestic Investigations and Operations Guide (DIOG)*, subsection 3.3.2.1.

Task force member: See DIOG subsection 3.3.2.2.

Task force participant: See DIOG subsection 3.3.2.3.

Unauthorized recipient: any person without appropriate clearance to review FBI-related information.

Acronyms

AD	assistant director
CDC	chief division counsel
CFR	Code of Federal Regulations
CIA	Central Intelligence Agency
DOJ	Department of Justice
FBIHQ	Federal Bureau of Investigation Headquarters

UNCLASSIFIED
Prepublication Review Policy Guide

FISA	Foreign Intelligence Surveillance Act
IRB	Institutional Review Board
FBI	Federal Bureau of Investigation
FBIHQ	Federal Bureau of Investigation Headquarters
FO	field office
Legat	legal attaché
NARA	National Archives and Records Administration
OCA	Office of Congressional Affairs
OGC	Office of the General Counsel
OIC	Office of Integrity and Compliance
PG	policy guide
RIDS	Record/Information Dissemination Section
RMD	Records Management Division
SCI	Sensitive Compartmented Information
U.S.C.	United States Code