

CIA tightens limits on former employees' ability to speak out

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The CIA has imposed new and tighter restrictions on the books, articles, and opinion pieces published by former employees who are still contractors with the intelligence agency.

According to several former CIA officials affected by the new policy, the rules are intended to suppress criticism of the Bush administration and of the CIA. The officials say the restrictions amount to an unprecedented political “appropriateness” test at odds with earlier CIA policies on outside publishing.

The move is a significant departure from the CIA’s longtime practice of allowing ex-employees to take critical or contrary positions in public, particularly when they are contractors paid to advise the CIA on important topics and to publish their assessments.

All current and former CIA employees have long been required to submit manuscripts for books, opinion pieces, and even speeches to the agency’s Publications Review Board, which ensures that the works don’t reveal classified information or intelligence sources and methods. The board has not generally factored political opinions into its decision-making, former CIA officials say.

But in recent years, former employees have written memoirs and opinion pieces challenging the CIA and the Bush administration, particularly for its use of prewar intelligence to justify the war in Iraq. The board did not find that any of those pieces revealed secrets, a fact that makes the CIA’s new review standards troubling, former officials and intelligence-community analysts said.

Many of those experts believe that public criticism provides an important source of alternative analysis — something the CIA needs to understand terrorism, global disease, and other emerging threats. But the White House and CIA Director Porter Goss view spies-turned-authors as political liabilities who embarrass an already battered administration, former officials said.

The CIA is now aggressively investigating — using polygraphs in some cases — employees who are suspected of leaking classified information to journalists, and last week the agency said it fired a senior official, Mary O. McCarthy, reportedly for having unauthorized contact

with the news media.

The former CIA officials carefully distinguished leaks of classified information, which they acknowledged can endanger national security, from articles or speeches that challenge policy yet reveal no secrets. But several said that Goss's vigorous pursuit of leakers is philosophically connected to his desire to keep embarrassing comments by former CIA insiders out of the public domain.

"I think the [publications] that are causing the most kickback now are things that look like they're critical of the administration," said one former official who has written about intelligence policies and techniques. "The [career] agency people feel like they are regarded by the White House as the enemy." They "feel like Goss's real job is to decimate the place," said the former official, who, like others contacted for this story, asked for anonymity to avoid reprisal from the CIA.

Full-time agency employees are discouraged from expressing their political opinions, lest they taint the agency as partisan. But contractors traditionally have been free to speak their minds. The new review policy "reflects [Goss's] concern, and his personality, which seems to have minimal tolerance for dissent," said Steven Aftergood, an authority on government secrecy policies with the Federation of American Scientists.

The publications review process "was designed to assure agency personnel that their First Amendment rights would be protected as long as they did not compromise security," Aftergood said. "That relatively enlightened position has now been abandoned."

The CIA acknowledged for the first time last week that the Publications Review Board subjects former officials under contract to a two-part test. "First, material submitted for publication cannot contain classified information," CIA spokesman Paul Gimigliano wrote in an e-mail. "Second, it cannot impair the individual's ability to do his or her job or the CIA's ability to conduct its mission as a nonpartisan, nonpolicy agency of the executive branch."

That new criterion is at odds with the agency's earlier rules. According to a July 2005 unclassified regulation, signed by Goss, "The [Publications Review Board] will review material ... solely to determine whether it contains any classified information. Permission to publish will not be denied solely because the material may be embarrassing to or critical of the agency."

Former officials who have been contacted by the CIA or made aware of the policy warned that it could backfire. "If this is the direction in which it's going ... the agency would be shooting itself in the foot," said one former official who was involved in contracting with outside experts to solicit reviews of draft intelligence assessments. "At a time when the agency is being criticized at least as much as it ever has for 'groupthink,' unchallenged assumptions, and not practicing alternative analysis rigorously, this is one of the last changes it ought to be making."

The former official predicted, “Those contractors who tend to express opposing viewpoints would be among the first to terminate their contracts.” If they bolt, the agency’s efforts will have been for naught: The CIA will have lost them, and they’ll publish their writings anyway, because the new policy review doesn’t apply to former employees who don’t have CIA contracts, the former official explained.

Another former official under contract, who has written critically about intelligence analysis, said the policy would encourage people to share their views with journalists anonymously. “I know they did it to scare people,” the former official said. “The problem is, they’re not dealing with fools here.... In my case, they took someone who is reasonably familiar with [the CIA] and made it so that anytime I can torpedo them, I will.”

Authors describe the former publications review process as fair, if sometimes tedious. “There was a real sense it was done on the up-and-up,” said a former CIA official who is a proponent of ex-employees’ writing about their expertise.

Another former employee agreed. “When I went through the process ... I certainly didn’t feel like the political standpoint of my book made a difference in how the [review board] evaluated it,” said Lindsay Moran, who wrote about her brief career as a CIA operative in *Blowing My Cover: My Life as a CIA Spy*. Moran’s book skewered agency managers as incompetent and made some officials nervous because it described aspects of training, but the Publications Review Board approved it without incident.

“It’s just ridiculous that the biggest threat to the CIA seems to be the grumblings of former employees,” Moran said. Aftergood concurred, saying, “It’s bizarre that the CIA is in such a weakened state that it feels the need to suppress criticism.”

The CIA apparently put the new rules into practice early this year. The former officials contacted for this story agreed that Goss implemented the restrictions partly to send a message about policies under his immediate predecessor, George Tenet.

“It’s very clearly the result of Tenet’s approving both my books,” said Michael Scheuer, the former head of the CIA unit that tracked Osama bin Laden, and the author of two books on Al Qaeda and the war on terrorism. Scheuer published both books under the pseudonym “Anonymous” while he was still a CIA employee.

The second book, *Imperial Hubris*, sparked controversy because it was seen as a rebuke of the war in Iraq as an effective means of fighting terror. The book is more properly viewed as a critique of intelligence leadership, Scheuer said, but he acknowledged that it is mostly cited for its relatively few mentions of Bush and the war.

Scheuer, who retired from the CIA in November 2004 and has no contracts with the agency, said he faced no opposition to publishing his books. “The agency never asked me, for either book, not to publish it.”

But he said that if he tried to publish the books as an agency employee today, he would be denied permission. Moran worried that it may even become more difficult for former employees who, like her, don't have contracts, to publish if the CIA's new policies stand. "I got my book cleared in a unique window of opportunity that's disappearing," she said.

"It doesn't have to be that way," Aftergood contended. "One can envision an agency that is so self-confident and so willing to rethink its own positions that it actually welcomes criticism. But that's not the agency we have today."

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