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NSA/CSS POLICY 1-30
REVIEW OF NSA/CSS INFORMATION
INTENDED FOR PUBLIC RELEASE



DATE: 2 February 2021 (See [Document History](#).)

OFFICE OF PRIMARY INTEREST: Information Security and Classification Division (P131), 972-2534 (secure)

RELEASABILITY: NSA/CSS Policy 1-30 is approved for public release. The official document is available on the Office of Policy website (“[go policy](#)”).

AUTHORITY: Natalie N. Laing, Director, Engagement and Policy

ISSUED: 2 February 2021

PURPOSE AND SCOPE

1. This document establishes policy, outlines procedures, and assigns responsibilities governing the [prepublication review](#) of [official NSA/CSS information](#) intended for [public release](#) by current and former NSA/CSS [affiliates](#) in either an [official capacity](#) or a [private capacity](#). This policy also implements Department of Defense (DoD) Instruction 5230.09, “Clearance of DoD Information for Public Release” ([Reference a](#)).
2. This policy applies to all current and former NSA/CSS affiliates and reflects lifetime obligations to which they have agreed in [non-disclosure agreements](#).

POLICY

3. All current and former NSA/CSS affiliates have a lifelong responsibility to safeguard NSA/CSS protected information, including classified, for official use only, controlled unclassified information, and intellectual property, from [unauthorized disclosure](#). Part of this responsibility is the requirement to submit for classification and prepublication review all official NSA/CSS information intended for public release.
4. The public release of official NSA/CSS information shall be limited only to the extent necessary to safeguard information requiring protection in the interest of national security or other legitimate government interest ([Reference a](#)), must comply with all laws and regulations, and must maintain ethical standards and compliance with DoD Directive (DoDD) 5500.07, “Standards of Conduct” ([Reference b](#)), and DoD 5500.7-R, “Joint Ethics Regulation (JER)” ([Reference c](#)).

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PROCEDURES

Public release of information

5. The Information Security and Classification Division (P131) must approve the public release of any information that has been obtained through an affiliate's association with or access granted by NSA/CSS. The [Annex](#) outlines the prepublication review process.

6. The following information does not require a public-release review and approval from P131:

- a. Information not about NSA/CSS, DoD, or the IC;
- b. Information not obtained through an affiliate's association with NSA/CSS; and
- c. Information not related to an affiliate's work at or for NSA/CSS.

7. The prepublication review process determines whether the information intended for public release:

- a. Requires protection under the Freedom of Information Act ([Reference d](#)) or Executive Order 13526, "Classified National Security Information" ([Reference e](#));
- b. Is consistent with established NSA/CSS, DoD, and IC policies;
- c. Is consistent with information security standards established by the Office of Information Management (P13); and
- d. When appropriate, conforms to NSA/CSS corporate messaging standards for official release as determined by Strategic Communications (P2).

8. When preparing information intended for public release:

- a. In order to preclude the inadvertent spillage of classified information onto unclassified systems, NSA/CSS affiliates, when practicable, must use a TOP SECRET classified information system (e.g., NSANet, JWICS) to draft the full material intended for public release. Use of an Agency-unclassified system must be in accordance with NSA/CSS Policy 6-6, "Use of Unclassified Information Systems and Internet-Based Capabilities" ([Reference f](#)).

b. Former affiliates without access to a TOP SECRET classified network (e.g., NSANet, JWICS) or another classified system (e.g., SIPRNet) must submit in hard copy the full and final material intended for public release to:

NSA/CSS
ATTN: P131, Prepublication Review
9800 Savage Road
Suite 6932
Fort George G. Meade, MD 20755-6248

c. Only full and final versions of material may be submitted for prepublication review. Draft materials may be submitted for some official capacity materials if a previous agreement with P131 has been established and the full and final version of the material is submitted before public release.

d. Public-release approval pertains to the exact material approved by P131:

1) Modifications after approval for format, grammar, or removal of previously approved material do not require an additional review. Resubmission to P131 is only necessary if new information or context is added to the material. Contact P131 via DL prepub (prepub@nsa.ic.gov) for questions on whether the specific modifications require another review.

2) Modifications to previously approved material, other than the above, are considered a new material and must undergo a full prepublication review as outlined in this policy.

e. Before publicly disclosing their NSA/CSS affiliation, current affiliates preparing material intended for public release should seek operations security guidance from their Mission Security Officer and must solicit a *name check* from the Chief, NSA/CSS Cover Office in accordance with NSA/CSS Policy 1-18, "NSA/CSS Cover Program" ([Reference g](#)).

9. Public release of information in an official capacity

a. NSA/CSS affiliates may provide information to the public as part of their documented and/or approved NSA/CSS duties so long as the information:

- 1) Is unclassified with no dissemination restriction or handling caveats;
- 2) Is prepared as part of their official duties;
- 3) Will be used in accordance with DoDD 5500.07 and DoD 5500.7-R ([References b and c](#)); and
- 4) Is approved for public release per the procedures outlined in this policy.

b. An NSA/CSS affiliate releasing information to the public in an official capacity will:

1) Gain management approval for release of information;

2) Ensure that no classified or protected information is contained in the submission;

3) Obtain written consent from NSA/CSS affiliates who are identified in the information (including photos and videos), unless these affiliates are considered public figures as identified in Policy 1-69, "NSA/CSS Designated Public Positions" ([Reference h](#));

4) Submit the information for Public Affairs Office (PAO, P21) review to determine whether the information conforms to NSA/CSS corporate messaging standards; and

5) Submit the following to P131 via DL prepub (prepub@nsa.ic.gov):

a) The full and final material to be publicly released;

b) PAO (P21) approval;

c) As needed, video/photo consent documentation as outlined in Policy 1-28, "The Marking and Handling of Official Photographs" ([Reference i](#)); and

d) Contracting officer approval, when required by a contract.

c. After receiving the prepublication review request, P131 will review the material and, as needed, will:

1) Coordinate with NSA/CSS subject matter experts;

2) Coordinate with the NSA/CSS Office of General Counsel (OGC, D2) for intellectual property rights or copyright concerns;

3) Coordinate with contract officers or experts;

4) Refer material to other IC agencies for review of their equities; and

5) When appropriate, submit to the Defense Office of Prepublication and Security Review any NSA/CSS Senior's approved request for public release of information.

d. P131 will issue a case number and final determination to the affiliate after the office has completed the review.

e. P131 will complete all reviews within 25 working days. This deadline is for planning purposes and does not constitute approval for release if the deadline passes. The affiliate is not authorized to release any information to the public without written permission from P131.

10. The creation and public release of official NSA/CSS organizational logos in an official capacity

a. A *logo* may be created in accordance with NSA/CSS Policy 10-7, "NSA/CSS Multimedia Information" ([Reference j](#)). After PAO (P2) and OGC (D2) have approved a logo, submit the following to P131 for final prepublication review and approval:

- 1) The logo concept sheet; and
- 2) The SPF with PAO (P2) and OGC (D2) approvals.

b. P131 will issue a case number and provide the final determination to the affiliate once it has completed the review.

c. Once approved for public release, a logo may be used for official NSA/CSS operational, promotional, or morale-building purposes.

11. Public release of information in a private capacity

a. NSA/CSS affiliates acting in a private capacity and not in connection with their official duties may prepare information for public release without management approval so long as:

- 1) The information is unclassified with no dissemination restriction or handling caveats;
- 2) When appropriate, the affiliate uses a disclaimer on any material in which an NSA/CSS affiliation is cited, stating that the views and opinions expressed are those of the affiliate and do not reflect those of NSA/CSS;
- 3) The affiliate uses no information that may describe an invention, unless that information has been included in a patent application filed with the U.S. Patent and Trademark Office or OGC (D2) has confirmed that there is no intention to file this patent application; and
- 4) The information is approved for public release per the procedures outlined in this policy.

b. A current or former NSA/CSS affiliate releasing information to the public in a private capacity will:

- 1) Ensure that no classified or protected information is contained in the submission;
 - 2) Obtain written consent from NSA/CSS affiliates identified in the information (including photos and videos), unless these affiliates are considered public figures identified in Policy 1-69 ([Reference h](#));
 - 3) Submit the following to P131:
 - a) The full and final material to be publicly released;
 - b) As needed, video/photo consent documentation as outlined in Policy 1-28 ([Reference i](#)); and
 - c) Contracting officer approval when required by a contract; and
 - 4) Submit all résumés, cover letters, biographies, *letters of recommendation*, or *curricula vitae* through P131's [online database](#) and all other public-release requests to DL prepub (prepub@nsa.ic.gov).
- c. After receiving the prepublication review request, P131 will review the material and, as needed, will:
- 1) Coordinate with NSA/CSS subject matter experts;
 - 2) Coordinate with OGC (D2) regarding intellectual property rights or copyright concerns;
 - 3) Coordinate with contractual experts; and
 - 4) Refer material to other IC agencies to review their equities.
- d. P131 will issue a case number and provide final determination to the affiliate once they have completed the review.
- e. P131 will complete all reviews within 25 working days. This deadline is for planning purposes and does not constitute approval for release if the deadline passes. The affiliate is not authorized to release any information to the public without written permission from P131.

Use of NSA/CSS information available from both classified and open sources

12. Official NSA/CSS information appearing in the public domain will not be automatically considered unclassified or approved for public release. Only information released by authorized U.S. Government agents or authorities (NSA.gov, NSA PAO, Director, NSA/Chief, CSS, IC on the Record, etc.) can be reused by NSA/CSS affiliates in other unclassified works.

13. P131 may approve the public release of NSA/CSS and IC information when the information is available through classified sources and also independently from open sources so long as:

- a. The affiliate provides clear unclassified sourcing from authorized U.S. Government agents or authorities;
- b. The release of the information will not confirm that classified information is in the public domain;
- c. The release of the information at the time of review will not cause further damage to national security. Considerations for further damage are:
 - 1) The sensitivity of the information from classified sources;
 - 2) The number and currency of the previous releases;
 - 3) The level of detail previously exposed;
 - 4) The source of the previous releases (whether authoritative and acknowledged or an anonymous leak);
 - 5) The current or former affiliate's access to classified sources; and/or
 - 6) The authority and credibility afforded by the affiliate's NSA/CSS experience; and
- d. The information is approved for public release per the procedures outlined in this policy.

Appeal of prepublication review determination

14. An affiliate may appeal a prepublication review determination in writing to the Chief, Office of Information Management (P13) within 20 business days of receipt of the determination. At the Chief, P13's discretion, the affiliate may be allowed an additional 30 business days to file a written appeal, so long as the affiliate files a written notice of intent to appeal within 20 business days of receiving the initial determination and presents justification to support an extension. The affiliate making the appeal must specifically identify the disputed portions of the initial determination and the reasons for appeal and must include any supporting information that the Chief, P13 should consider.

15. In support of the Chief, P13, P131 will, if needed, schedule meetings with the NSA/CSS OGC (D2) and/or the information owners to review the disputed information. Within 30 business days of receiving the appeal, P131 will advise the affiliate of the Chief, P13's final determination and, to the extent consistent with national security, the reasons for any P13 determination that is adverse to the affiliate's request.

16. The final determination by the Chief, P13 may not be further appealed.

Delegation of authority to approve NSA/CSS information for public release

17. P131 may delegate, as needed, the authority to approve NSA/CSS information for public release.

18. Delegation of this authority must be in writing as a service-level agreement between P131 and the gaining NSA/CSS organization. The agreement must be developed in accordance with Policy 1-2, “Mission and Functions Statements with Service-Level Agreements” ([Reference k](#)), and must contain, at minimum:

- a. A list of the specific positions that will execute public-release reviews and provide approval;
- b. Acknowledgement of an annual training requirement for all delegated positions;
- c. Creation and maintenance of a centralized repository for all records of public-release approval that conforms to P131 standards for tracking and accountability; and
- d. Provisions to provide bi-weekly metrics of public-release approvals.

19. Agreements will be for no longer than 2 calendar years. At the end of the second year, P131—in consultation with the organization—will review and evaluate the agreement.

RESPONSIBILITIES

Current and Former NSA/CSS Affiliates

20. Current and former NSA/CSS affiliates shall:

- a. Submit all required information for public-release approval in accordance with the procedures outlined in this policy;
- b. Notify NSA/CSS of any request to comment on any unofficial NSA/CSS-related information (e.g., to review a book by a non-government author before publication, to review an article, to review an online post) in order for the comments to be treated as a proposed private-capacity publication that is subject to review, as provided by this policy; and
- c. Obtain permission from the author before submitting relevant parts of any unpublished text to NSA/CSS for review if all or part of the text being commented upon requires a review pursuant to this policy.

Information Security and Classification Division (P131)

21. The Information Security and Classification Division (P131) shall:

- a. Serve as the sole approval authority for the public release of NSA/CSS information;
- b. Inform the Defense Office of Prepublication and Security Review of the public-release approval when the requesting NSA/CSS affiliate is a *senior leader* acting in an official capacity;
- c. Coordinate prepublication reviews with other NSA/CSS offices as required;
- d. Review and approve or disapprove management directives and any other procedures developed to implement this policy;
- e. When appropriate, coordinate prepublication reviews with external information owners (e.g., the U.S. Government, foreign governments);
- f. Conduct, as practicable, final prepublication reviews of all information intended for public release within 25 business days of receipt;
- g. Notify the affiliate in writing of the determination;
- h. Maintain all required electronic and hardcopy official records related to prepublication review determinations in accordance with this policy and NSA/CSS Policy 1-6, "Records Management Program" ([Reference 1](#));
- i. Delegate public-release approval authority in writing to specific NSA/CSS organizations as required to support unique mission needs ([paragraphs 17–19](#)); and
- j. Assist the Chief, P13 with administrative processing of prepublication review appeals.

Chief, Office of Information Management (P13)

22. The Chief, Office of Information Management (P13) shall:

- a. Review and make final determinations on all prepublication review appeals;
- b. If requested, grant an additional 30 business days for an affiliate to file a prepublication review appeal; and
- c. Administratively process prepublication review appeals.

NSA Chief of Staff, Directors, Cryptologic Center Commanders/Chiefs, and Field Commanders/Chiefs

23. NSA/CSS Chief of Staff, *directors*, cryptologic center commanders/chiefs, and field commanders/chiefs shall:

- a. Develop processes, consistent with the provisions in this policy, for ensuring the proper prepublication review of official NSA/CSS information intended for public release;
- b. Ensure that personnel under their supervision are made aware of the requirements of this policy; and
- c. Ensure that subordinates' requests for management review and approval of official NSA/CSS information intended for public release pursuant to this policy are completed in a timely manner.

Security and Counterintelligence Group (S&CI, A5)

24. S&CI (A5) shall:

- a. Ensure that, during their initial indoctrination, all affiliates are informed of their lifelong responsibility to safeguard NSA/CSS protected information and of the procedures for prepublication review;
- b. Ensure that all affiliates are reminded of their lifetime prepublication review responsibilities before signing their security debriefing forms at the end of their affiliation with the Agency;
- c. Provide operational security guidance via mission security officers to current affiliates regarding the possible consequences of publicly disclosing their NSA/CSS affiliation when preparing official NSA/CSS information for public release in either an official or a private capacity; and
- d. Support P131 by verifying former affiliates' identities for external public review requests.

Office of General Counsel (OGC, D2)

25. OGC (D2) shall:

- a. Provide legal advice to the Information Security and Classification Division (P131) or delegates when material intended for public release contains any information to which NSA/CSS may have intellectual property rights and for which it may wish to file a patent application;

b. Coordinate with the Business Management and Acquisition Directorate (BM&A, B) to ensure that contracts contain necessary language requiring contractors and their employees to comply with the provisions of this policy; and

c. Provide legal advice and guidance to P131 and the Chief, P13 during the appeal process, as needed and as required.

Business Management and Acquisition (BM&A, B)

26. BM&A (B) shall coordinate with OGC (D2) to ensure that contracts contain necessary language requiring contractors and their employees to comply with the provisions of this policy.

Public Affairs Office (PAO, P21)

27. When appropriate, the PAO (P21) shall review all information intended for public release in an official capacity within 10 business days of receipt to ensure that it conforms to current NSA/CSS messaging standards as determined by Strategic Communications (P2).

Chief, NSA/CSS Cover Office

28. The Chief, NSA/CSS Cover Office shall conduct name checks as requested by current affiliates preparing official NSA/CSS information for public release in either an official or private capacity in accordance with this policy.

REFERENCES

- a. [DoD Instruction 5230.09](#), "Clearance of DoD Information for Public Release," dated 25 January 2019
- b. [DoDD 5500.07](#), "Standards of Conduct," dated 29 November 2007
- c. DoD 5500.7-R, "Joint Ethics Regulation (JER)," dated 1 August 1993
- d. [5 U.S.C. §552](#), Freedom of Information Act
- e. [Executive Order 13526](#), "Classified National Security Information," dated 5 January 2010
- f. [NSA/CSS Policy 6-6](#), "Use of Unclassified Information Systems and Internet-Based Capabilities," dated 26 October 2020
- g. [NSA/CSS Policy 1-18](#), "NSA/CSS Cover Program," dated 30 October 2020
- h. [NSA/CSS Policy 1-69](#), "NSA/CSS Designated Public Positions and Organizations," dated 27 October 2020

- i. [NSA/CSS Policy 1-28](#), “Marking and Handling Official Photographs,” dated 24 November 2020
- j. [NSA/CSS Policy 10-7](#), “NSA/CSS Multimedia Information,” dated 8 October 2020
- k. [NSA/CSS Policy 1-2](#), “Mission and Functions Statements with Service-Level Agreements,” dated 7 November 2019
- l. [NSA/CSS Policy 1-6](#), “NSA/CSS Records Management Program,” dated 25 July 2019

GLOSSARY

affiliate—a person employed by, detailed to, or assigned to NSA/CSS, including members of the U.S. Armed Forces; an expert or consultant to NSA/CSS; an industrial or commercial contractor, licensee, certificate holder, or grantee of NSA/CSS, including all subcontractors; a personal services contractor; or any other category of person who acts for or on behalf of NSA/CSS as determined by the Director, NSA/Chief, CSS (Source: [NSA/CSS Policy Glossary](#))

curriculum vitae—a summary—usually more detailed than a résumé—of an individual’s academic or work history

directors—the directors of Workforce Support Activities (A), Business Management and Acquisition (B), Cybersecurity (C), Engagement and Policy (P), Research (R), Operations (X), and Capabilities (Y) (Source: [NSA/CSS Policy Glossary](#))

letter of recommendation/letter of reference (LOR)—a communication that Agency employees acting in their official or private capacities may write, so long as they have personal knowledge of the abilities of the person requiring the LOR and they follow guidelines from the Office of General Counsel Administrative Law and Ethics (D23) for [letters of recommendation and references](#)

logo—an unclassified graphical representation of an NSA/CSS-related special office, mission, program, or project ([Reference j](#))

name check—a review of past assignments, including assignments to other agencies and participation in educational programs, to determine the classification of an individual’s name in association with NSA/CSS ([Reference g](#))

non-disclosure agreement (NDA)—An NDA is a lifetime obligation to safeguard all protected information, to submit all information intended for publication and/or public release for prepublication review, and to report any unauthorized disclosure of protected information. NSA/CSS affiliates are legally bound and obligated by any NDAs that they sign for access to NSA/CSS information and shall not confirm or deny information about NSA/CSS that appears in the public domain without prior approval through the classification or prepublication process.

official capacity—acting on behalf of NSA/CSS

official NSA/CSS information—any NSA/CSS, Department of Defense, or Intelligence Community information that is in the custody and control of NSA/CSS and has been obtained for or generated on behalf of NSA/CSS during the course of an affiliate’s employment or other service with NSA/CSS, including contractual service

prepublication review—the overall process to determine that information proposed for public release contains no protected information and, when applicable, is consistent with established NSA/CSS, Department of Defense, and Intelligence Community policies and programs; conforms to NSA/CSS messaging standards as determined by Strategic Communications (P2); and, in consultation with the NSA/CSS Office of General Counsel, Acquisition, Research, and Technology Law (D23) when appropriate, contains no information to which NSA/CSS may have intellectual property rights and for which it may file a patent application

private capacity—acting on behalf of oneself and not in association with NSA/CSS

public release—process to convey U.S. Government information orally, in writing, or in any other medium to an individual, individuals, an entity, or entities that do not have a NSA/CSS or U.S. Government mission need for that information and when there is no reasonable expectation that NSA/CSS can enforce the protection of that information from further dissemination

senior leader—a Defense Intelligence Senior Executive Service (DISES) employee, a Defense Intelligence Senior Level (DISL) employee, or the military equivalent of a DISES or DISL employee

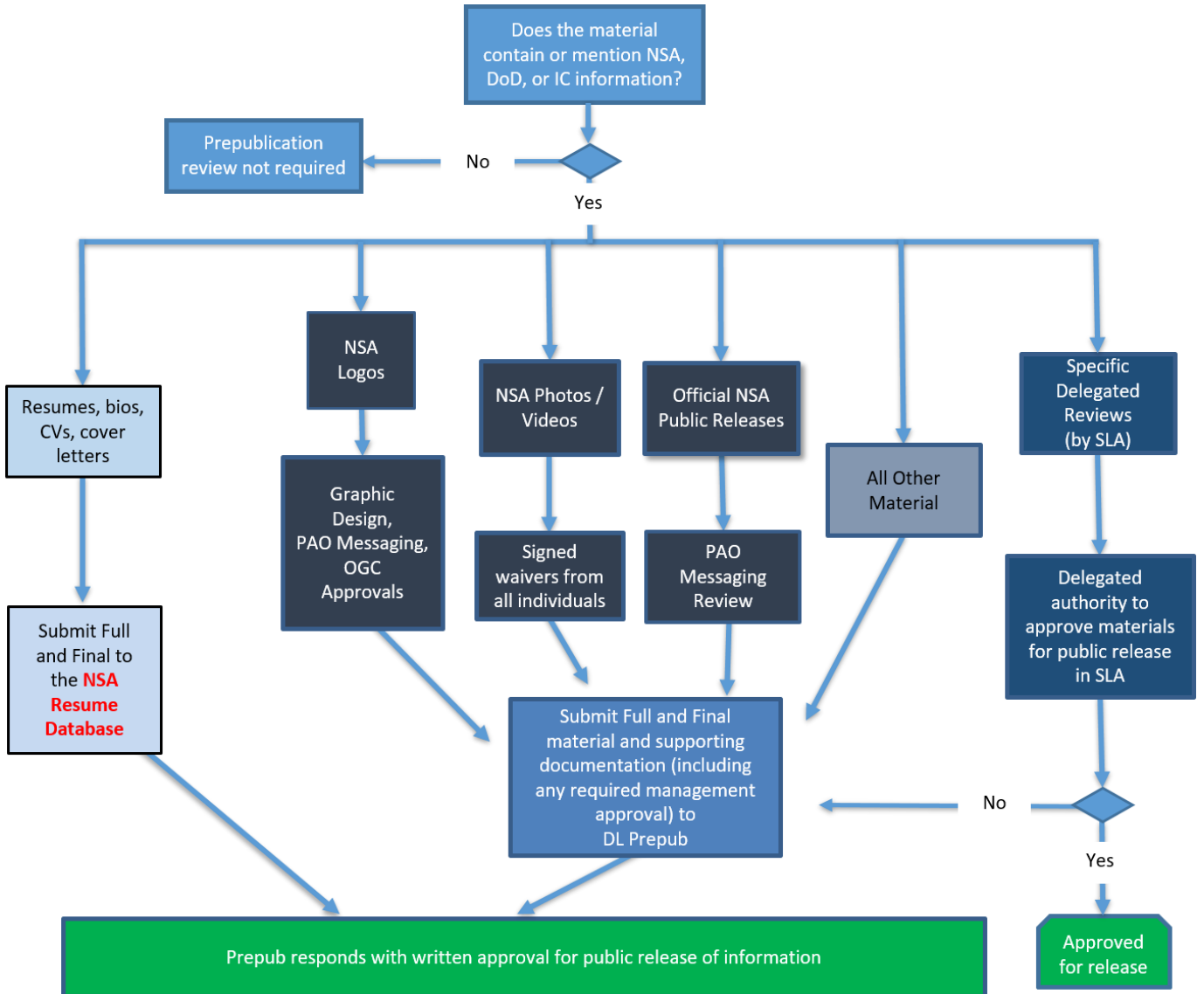
unauthorized disclosure—absent a public release, the communication or physical transfer of protected information to one or more unauthorized recipients who do not have appropriate access authorization, security clearance, and/or need to know to receive such information

DOCUMENT HISTORY

Date	Approved by	Description
2 February 2021	Natalie N. Laing, Director, Engagement and Policy	Policy reissuance; supersedes NSA/CSS Policy 1-30, dated 30 October 2020

ANNEX: PREPUBLICATION REVIEW PROCESS DIAGRAM

Figure 1: Prepublication Review Process



This figure shows the stages of the prepublication review process.