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WIDE POWER GIVEN ON CLASSIFIED DATA

Under Reagan Order, Agencies Will Have Right to Review Writings of Employees

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WASHINGTON, March 13 — Federal agencies will have broad power to review and approve books, magazine articles and the texts of speeches prepared by their employees and former employees under President Reagan's new order protecting classified information.

The order, in effect, requires the State Department, the Defense Department, the White House, the National Security Council, the Justice Department and several other agencies to establish procedures similar to those of the Central Intelligence Agency, which routinely reviews manuscripts intended for publication by its employees and former employees.

The C.I.A. has a Publications Review Board, seven officials who meet once a week. Charles E. Wilson, chief of public affairs who is chairman of the board, said it had reviewed more than 800 manuscripts containing a total of 70,000 pages since it was established in 1977. The manuscripts included memoirs by former intelligence officials such as Vernon A. Walters, William E. Colby and Cord Meyer, as well as a chapter of a book written by Vice President Bush, a former director of the agency.

Mr. Reagan's order, issued Friday, was designed to halt unauthorized disclosures of classified information. It said that any Federal employee with access to classified data must sign a secrecy agreement and submit to a polygraph examination if asked to do so by Federal agents investigating a leak of such information.

Disclosures Irked Reagan

Administration officials said the directive reflected the President's irritation over disclosures of classified information, such as the fact that American aircraft and ships were deployed near Libya last month.

The order said that employees with access to highly classified data known as "sensitive compartmented information" must agree, in advance, to have their manuscripts reviewed by the Government to "assure deletion" of all classified material.

Steven Garfinkel, director of the Information Security Oversight Office, which monitors the handling of classified information at all agencies, said thousands of Government employees would be subject to the rule requiring "prepublication review."

Fiction as well as nonfiction will probably have to be submitted for review, Mr. Garfinkel said. The C.I.A. requires agents and former agents to submit fiction, such as spy stories, on the ground that it "can be used as a subterfuge to convey factual information."

The Supreme Court upheld the validity of the agency's secrecy agreement, including the requirement for review of manuscripts, in a 1980 case involving Frank W. Snepp 3d, a former intelligence officer who published an unauthorized book about the fall of Saigon. The Government did not argue that Mr. Snepp's book contained classified information. But it did say that he had violated both a written contract and a "fiduciary obligation" in publishing it without clearance from the agency.

'Letters to Editor' Included

Justice Department officials said that the secrecy agreement used by the C.I.A. was a prototype for the forms that other Government employees would now be asked to sign. The agreement requires review not only of classified information, but of "any information or material" relating to intelligence, including letters to the editor, book reviews and scholarly papers. The Government contends that it is the only proper judge of what material is classified.

Morton H. Halperin, a former Defense Department official who is now director of the Center for National Security Studies, said the prepublication review requirement would permit the Government to censor the written works of former officials, especially diplomats and military officers. "It will be much more difficult for them to participate in public debate and the political process," he said.

Mark H. Lynch, a lawyer for the American Civil Liberties Union, said that under the President's order it would be virtually impossible for Federal officials to become newspaper or television reporters because they would have to obtain Government approval for articles and scripts using information gained in the course of their Government employment.

Under the new policy, Mr. Halperin said, Mr. Reagan would presumably have to submit his memoirs for review by some future Administration, just as Jimmy Carter and his chief of staff, Hamilton Jordan, would have had to submit their manuscripts to the Reagan White House under the policy.

C.I.A. officials, aware of the vast power given to them by the Supreme Court as a result of the Snepp decision, have been very careful in reviewing manuscripts, said Mr. Lynch, a critic of the surveillance procedures. Ernest Mayerfeld, deputy general counsel of the agency, said the Publications Review Board tried to complete its scrutiny of a work within 30 days and could clear an essay within 48 hours if it was needed for a newspaper. The board's rules say that "approval will not be denied solely because the subject matter may be embarrassing to or critical of the agency."

But former agents who have gone through the review process have often had difficulty. Ralph W. McGehee recently wrote a book about his 25 years in the C.I.A., and in an appendix describing the prepublication review process, he said, "Agency officials show no hesitation in trying to censor embarrassing, critical or merely annoying information."

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