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CENTRAL INTELLIGENCE AGENCY

Office of Inspector General

(U) REPORT OF AUDIT

(U) CIA Processes for Engaging With the Entertainment Industry

Report No. 2012-0013-AS

EO 13526 3.5(c)

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(U) Report of Audit

(U) CIA Processes for Engaging With the Entertainment Industry

(U) EXECUTIVE SUMMARY

- (U) The objectives of this audit were to determine whether CIA processes for engaging with the entertainment industry are:
 - Designed to support consistency and fairness in handling access requests.
 - Designed to adequately protect classified and sensitive information.
 - Effective in achieving the goals established by the Office of Public Affairs (OPA) for activities within the entertainment industry.
 - In compliance with applicable laws and regulations.

(U//FOUO) We found that records maintained by OPA are not sufficient to document that entertainment industry requests to CIA for briefings, interviews, visits, and other support are handled in a consistent and fair manner and that engagement with the entertainment industry is effective in furthering CIA's goal for engagement. OPA has not maintained a comprehensive list of entertainment projects that the CIA has supported and those projects that CIA has declined to support. OPA and other CIA employees have not always complied with Agency regulations intended to prevent the release of classified information during their interactions with entertainment industry representatives. This report recommends that the Director of Public Affairs (Director, OPA) implement a central recordkeeping capability for entertainment industry requests to CIA for briefings, interviews, visits, and other support. The report also recommends that the Director, OPA issue guidance on contact with the entertainment industry and support to entertainment industry projects to help ensure that current and former CIA employees comply with CIA security requirements in their interactions with the entertainment industry.

(U//FOUC) CIA has not been reimbursed for costs incurred in supporting entertainment industry projects and has cited authority under section 8 of the Central Intelligence Agency Act of 1949 to incur such costs without reimbursement. We believe this to be a questionable use of section 8 authority. This report recommends that the Director, OPA, in coordination with the General Counsel, establish a documented policy for determining when fees should be charged by CIA in providing support to entertainment industry projects and how those fees are collected.

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(U) BACKGROUND

(U/FOUO) The CIA is a frequent subject of entertainment industry projects, such as books, television programs, documentaries, and motion pictures. CIA officials work with entertainment industry professionals—directors, producers, screenwriters, authors, documentarians, and actors—to debunk myths about CIA and intelligence work, present a balanced and accurate image of the CIA, and lend authenticity to entertainment industry projects. According to the CIA public website, CIA's goal in engaging with the entertainment industry is to ensure "an accurate portrayal of the men and women of the CIA, and the skill, innovation, daring, and commitment to public service that defines them." CIA officials have provided advice on improving the context and accuracy of scripts, provided tours of the CIA, and overseen production on CIA property. A CIA official directly involved in supporting entertainment industry projects told us that the CIA receives requests from five to seven, small-scale projects each week; many of these requests are limited to questions about CIA culture or historical events. Since October 2011, the CIA has received about three or four requests for support to large-scale entertainment projects—projects that would require a greater commitment of CIA resources to support. CIA officials directly involved in supporting entertainment industry projects told us that, since 11 September 2001, there has been only one major motion picture that has been allowed to film at CIA Headquarters.1

(U) The CIA, Office of Public Affairs (OPA) is responsible for facilitating effective internal and external communications for CIA and is the focal point for CIA engagement with the entertainment industry. OPA comprises three branches; Media Relations. Public	
Communications, and Internal Communications. The OPA	3.5(c
Liaison is responsible for CIA engagement with the entertainment industry.	3.5(c) 3.5(c) 3.5(c)
(U//FOUC) OPA officials told us that they follow the provisions of Agency Regulation when engaging with the entertainment industry. ² AR assigns OPA responsibility for responding	
to requests for briefings, interviews, and visits from the media and for arranging and monitoring responses. AR prescribes that OPA will not discriminate among members of the media in granting requests. A decision on whether or not to provide a briefing, interview,	
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or visit is to be based on the merits of the request, the sensitivity of the subject matter, the media representative's record of abiding by CIA direction concerning any classified information that is inadvertently disclosed, and the availability of appropriate CIA personnel. Each briefing, interview, or visit must be approved in advance by the Director of Public Affairs (D/OPA) and the directorate involved. CIA officials have stated that the protection of national security equities is paramount in determining whether and how the CIA engages with the entertainment industry.

(U//FOUO) AR prescribes that briefings to the media normally will be conducted in the offices of OPA or another designated area, and an OPA representative will be present during briefings. OPA is responsible for advising current and, when requested, former CIA employees on their contacts with media representatives; maintaining a central record of all CIA contacts with media representatives, by both OPA and other components; and providing the Center for CIA Security (now the Office of Security) copies of all reports of contacts with the media. AR requires CIA employees, except as authorized by the Director, CIA; Deputy Director, CIA; EXDIR (Associate Deputy Director, CIA); or the Director, OPA, to refer all inquiries, whether official or unofficial, from media representatives to OPA and engage in no contact on behalf of the CIA with media representatives.

(U) AUDIT RESULTS AND RECOMMENDATIONS

(U) OPA Has Not Maintained Adequate Records of CIA Engagement With the Entertainment Industry

(U//FOUO) Records maintained by OPA are not sufficient to document that entertainment industry requests to CIA for briefings, interviews, visits, and other support are handled in a consistent and fair manner, that engagement with the entertainment industry is effective in furthering CIA's goal for engagement, and that classified information is protected when the CIA engages with the entertainment industry. OPA has not maintained a comprehensive list of entertainment projects that the CIA has supported and those projects that CIA has declined to support. Although AR does not specify the information to be maintained in a central record of contacts with representatives of the media, the record should include information sufficient to document that the CIA has acted in compliance with AR Maintenance of adequate records is an important control in providing assurance that CIA procedures for engaging with the entertainment industry are effective and that CIA officers comply with applicable regulations and guidance.

(U//FOUO) In 2011, OPA officials prepared a list of 22 entertainment industry projects that obtained support from CIA. The list included books, television programs, documentaries, and motion pictures. We reviewed a sample of eight projects—two books, two television programs, two documentaries, and two motion pictures—that were in production or completed between January 2006 and the start of our audit in April 2012 to assess compliance with CIA procedures

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OPA provided limited cumentation concerning CIA support to the other five projects. For only one of the cht projects was OPA able to provide a complete list of the current and former CIA aployees—the briefers, interviewees, guides, security escorts—who had been in contact the entertainment industry representatives in the course of CIA support to the project.	
(U) Assessments of Entertainment Industry Requests Were Not Documented	
(LI//FOUO) We were unable to determine whether entertainment industry requests for poort were handled in a consistent and fair manner. OPA does not maintain records of certainment industry requests for briefings, interviews, and visits that are denied by CIA such, it was not possible to assess decisions to deny CIA support for compliance with Regarding those entertainment industry requests that were supported by CIA, the s not sufficient documentation to assess the decision and the nature and extent of the oport for compliance with AR	

(U//FOUO) Based on the limited documentation available from OPA, CIA support and	
involvement in entertainment industry projects appear to have varied considerably from one	
project to another. For example, we noted that the CIA provided significantly more support	
to one of the eight entertainment industry projects that we reviewed:	3.5(c)
Entertainment industry representatives for this project met with CIA officers (the majority	3.5(c)
of whom were under cover), in some instances for several hours and on multiple occasions,	
including meeting with one officer approximately 12 times. For the four other projects in	
our sample for which there was some documentation concerning CIA support, it appears that	
CIA provided entertainment industry representatives only one or two meetings with overt	
CIA officers for each project. However, because of the lack of sufficient documentation, it	
was not possible for us to determine that was deserving of greater CIA	3.5(c)
support based on the "merits" of the project and the application of the other criteria for	
assessing media requests prescribed in AR or that had been deemed to	3.5(c)
have greater potential for furthering the CIA's goal for interacting with the entertainment	100
industry.	

(U//FOUO) OPA Lacks Procedures to Measure the Impact of Engagement With the Entertainment Industry

(U/Æ966) OPA lacks a systematic process to assess and document the effectiveness of CIA's engagement with the entertainment industry. OPA officials stated that although they do not have procedures to document the impact of CIA's support to entertainment industry projects, OPA officers' substantial involvement in the projects and, in most cases, the involvement of senior CIA officials ensure that projects further CIA's goal to ensure "an accurate portrayal of the men and women of the CIA, and the skill, innovation, daring, and commitment to public service that defines them." Based on our review of the six completed projects in our sample, the projects portrayed CIA in a manner generally consistent with CIA's goal. We were unable to determine whether the remaining two projects, the motion pictures, met CIA's goal because they were in production at the time of the audit. Based on our interviews with individuals involved in the projects and our review of records provided by OPA, we found nothing to suggest that the projects' results would be inconsistent with CIA's goal. However, formal procedures for assessing and documenting the extent to which CIA support to individual projects furthered CIA's goal could be useful in making decisions concerning continued CIA support to particular media projects or individual persons or entities in the entertainment industry.

(U) Deviations From Agency Regulations Raise Security Concerns

(U//FOUT) OPA and other CIA employees did not always comply with Agency regulations intended to prevent the release of classified information during their interactions with entertainment industry representatives. OPA did not report contacts

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between CIA employees and media representatives to the Office of Security as required by AR for any of the eight projects we reviewed. CIA officers from components other	5.
than OPA were interviewed by entertainment industry representatives on at least four of	
the five projects we reviewed for which there was some record of CIA engagement. In the	
case of one project CIA officers told us that some of their official	3.5(c)
meetings with the entertainment industry representatives took place outside of CIA	
facilities. One of the officers stated that, with OPA's approval, his meetings outside of	14
CIA facilities did not always include an OPA representative. CIA officers who	100
supported entertainment industry projects respectively) told	3.5(c)
us that they were contacted directly by entertainment industry representatives after the	
initial meetings conducted with OPA. Under AR OPA is the focal point for all CIA	
contacts—official or unofficial—with media representatives.	
(U//FOUO) Several CIA officers who were involved in CIA support to three of the	
entertainment industry projects that we reviewed told us that they did not receive guidance	
from OPA concerning their interaction with entertainment industry representatives.	
Officers who had been interviewed by entertainment industry representatives in support of	
one project told us that they were unclear concerning what information	3.5(c)
could be discussed in the interviews and uncomfortable with the information being	
discussed. These officers thought that OPA could have better prepared them for the	
interviews and that OPA officials should have exercised greater control of the interviews.	
Based on our discussions with members of the CIA's Publications Review Board (PRB)	
and our review of information provided by PRB officials, many CIA employees who	
briefed or were interviewed by entertainment industry representatives did not submit	
materials to the PRB for review in advance of the briefings or interviews. AR states	
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(U//FOUO) There was an instance in which CIA allowed an entertainment industry	
representative to attend a CIA event in which information classified at the SECRET level	
was discussed. ⁷ AR states that	
was discussed. An states that	
There is no documentation that approval was obtained to waive	3.5(c)
There is no documentation that approval was obtained to waive	0.0(0)
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⁷ (U) CIA officials told us that the filmmaker involved with Zero Dark Thirty was invited to the event so that he could absorb the emotion of the event and that he was told that he could not use anything he heard at the event for his project.	
During our audit fieldwork, the then Director, CIA called for an internal examination of the decision to allow the	
entertainment industry representative to attend the event.	
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compliance with AR and allow the entertainment industry representative to attend the
event and that this decision was appropriate and in the CIA's best interest. We also noted
three entertainment projects
in which foreign nationals may have participated in briefings, interviews, and visits
provided by CIA. However, because of the lack of adequate records, we were unable to
determine the extent of CIA's support to the eight projects, the extent to which foreign
nationals participated in CIA-sponsored activities, and whether the Director, OPA
approved the activities and participation by foreign nationals. Failure on the part of CIA
officers to adhere to the regulatory requirements could result in unauthorized disclosures,
inappropriate actions, and negative consequences for CIA. OPA has prepared draft
guidance for persons holding CIA-sponsored clearances or having access to CIA
information and facilities concerning contact with the entertainment industry and support
to entertainment industry projects.

(U//FOUO) Recommendation 1—(significant)—For the Director of Public Affairs: Implement a central recordkeeping capability for entertainment industry requests to CIA for briefings, interviews, visits, or other support that documents key data, such as, but not limited to:

- a. Project name and description.
- b. Names of persons and entities requesting CIA support.
- c. Subject matter involved in the project.
- d. Nature and extent of support requested from CIA.
- e. History of prior requests for CIA support from the same persons and entities.
- f. Justification for the decision to support or deny support to the project.
- g. Detailed descriptions of briefings, interviews, visits or other CIA support to the project, such as transcripts of briefings provided by current and former CIA personnel and summaries of interviews of current and former CIA employees.
- h. Approval by the Director, OPA and the directorate involved for all CIA activities undertaken in support of the project.
- i. Time period of CIA participation in the project.
- j. Names of all current and former CIA personnel involved in activities undertaken in support of the project.
- k. Documentation that materials presented by current and former CIA personnel have been appropriately reviewed by the Publications Review Board.

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- Certification by the Director, OPA that briefings, interviews, and other CIA support did not divulge classified information or intelligence sources and methods.
- m. Names and identifying information for all entertainment industry persons who had access to CIA personnel and/or facilities.
- n. Assessments of entertainment industry personnel's cooperation with CIA during the project and whether the project furthered CIA's goal in engaging with the entertainment industry, and other information that would be useful in decisions concerning future requests for CIA support.
- Costs incurred by CIA in supporting the project and whether reimbursement was obtained.

(U//FOUO) Recommendation 2—For the Director of Public Affairs: Issue guidance on contact with the entertainment industry and support to entertainment industry projects to help ensure that current and former CIA employees comply with CIA security requirements in their interactions with the entertainment industry.

(U//FOUO) We received comments on a draft of this report from the Director, OPA in which she agreed with Recommendations 1 and 2; the comments were coordinated with the Office of General Counsel (OGC); the Office of Security; and the Office of Corporate Strategy, Policy, and Integration. The Director, OPA said that well before the audit began, OPA recognized the need for more consistent documentation in its interactions with the entertainment industry and the need to establish guidelines to the workforce on that interaction. OPA has been working to address these issues since October 2011.

The Director, OPA said that OPA's new will serve as the central online repository for the information sought in Recommendation 1 on each entertainment project. OPA officials provided us with evidence that is fully operational and has the capability to document current entertainment projects. allows users to quickly input and search for information about CIA's interaction on a project. OPA officials provided documentation of sufficient recordkeeping for current entertainment projects, except for the involvement of the PRB in reviewing materials presented by current and former CIA personnel to entertainment industry representatives. Regarding review of materials by the PRB, the Director, OPA stated:

Our understanding is that [Information Review Officers] IRO's have the ability to clear information when needed, and OPA has asked them to do so. Although OPA knows generally what entertainment industry representatives are looking to discuss, representatives of the entertainment industry often do not provide advance

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questions, and so our officers are not in a position to provide advance talking points. According to the entertainment guidance, OPA officers meet with all briefers in advance of their meetings with the entertainment industry representatives, provide guidance on the ground rules, and remind officers not to provide any classified information or analysis. OPA believes this will protect classified information, and adding an extra layer of PRB review is unnecessary, duplicative, and would further burden the overstretched PRB resources.

We discussed the Director, OPA's comments regarding PRB review of materials presented by current and former CIA personnel to entertainment industry representatives
with the Chair, PRB. Notwithstanding the Director, OPA's comments, the Chair, PRB
affirmed that presentations by current and former CIA personnel to entertainment industry
representatives fall under AR and AR states that
AR requires "all current and former Agency
employees and contractors, and others who are obligated by CIA secrecy agreement, to
submit for prepublication review to the CIA's Publications Review Board (PRB) all
intelligence-related materials intended for publication or public dissemination, whether
they will be communicated in writing, speeches, or any other method." AR further
prescribes that "[w]here no written material has been prepared specifically in
contemplation of the speech, interview, or oral testimony, the individual must contact the
PRB Chair or his representative to provide a summary of any and all topics that it is
reasonable to assume may be discussed, and points that will or may be made. Unprepared
or unrehearsed oral statements do not exempt an individual from possible criminal liability
in the event they involve an unauthorized disclosure of classified information." The
Chair, PRB told us that PRB review and approval of talking points would allow for carefu
consideration of all CIA equities related to the information, enable the PRB to provide
guidance on topics that should not be discussed, and would facilitate the formal
documentation of release decisions for future reference.
(E) In response to Recommendation 2, the Director, OPA offered the following
comments concerning compliance with AR which states that OPA is responsible for
maintaining a central record of all CIA contacts with media representatives, by both OPA
and other components, and providing the Office of Security copies of all reports of
contacts with the media:
Noither ODA nor the Office of Sequeity (OS) has interpreted the cited regulation to
Neither OPA nor the Office of Security (OS) has interpreted the cited regulation to include all discussions with the media (which would include dozens of emails and
telephone calls each day). Such contact is approved by D/OPA or other senior
Agency leaders, and reporting of all official media contacts would be an
unnecessary and overwhelming burden on both OPA and OS. Each and every
visitor to the Agency compound is cleared through the

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which is maintained within the Office of Security. In addition, unofficial media contacts are cleared with OPA and OS through the which is also managed by OS. Finally, OPA works closely with the Office of Security to ensure awareness of sensitive information reported by media contacts.	3.5(c)
when engaging with the entertainment industry implemented in response to Recommendation 1 satisfies the requirements of AR Although the process is adequate, it could be further strengthened if OPA verified that all such contacts are reported to the Office of Security. In addition, OPA has promulgated guidelines for interactions with the entertainment industry. The guidelines————————————————————————————————————	3.5(c) 3.5(c)
(U//FOUO) CIA Has Not Been Reimbursed for Costs Incurred in Supporting Entertainment Industry Projects	
(U/FOUO) The CIA needs to establish a written policy concerning under what conditions reimbursement of costs incurred in providing support to entertainment industry projects should be sought. In the absence of a formal policy, there is increased risk that costs incurred by CIA will not be handled in a consistent manner and that CIA funds may be used for questionable expenditures.	
(U//FOUC) An OPA official told us that decisions to support entertainment industry projects that result in the CIA incurring costs, such as a decision to are made in close coordination with OGC.	3.5(c)
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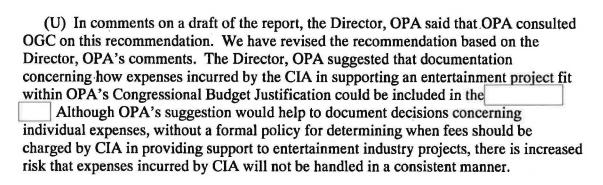
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The CIA's handling of these types of costs, as well as costs associated with additional security requirements and overtime needed to support entertainment industry projects, should be addressed in a written policy.

(U//FOUO) Recommendation 3—For the Director of Public Affairs, in coordination with the General Counsel: Establish a documented policy for determining when fees should be charged by CIA in providing support to entertainment industry projects and how those fees are collected.



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Exhibit A

(U) Objectives, Scope, and Methodology

- (U) The objectives of this audit were to determine whether CIA processes for engaging with the entertainment industry are:
 - Designed to support consistency and fairness in handling access requests.
 - Designed to adequately protect classified and sensitive information.
 - Effective in achieving the goals established by the Office of Public Affairs (OPA) for activities within the entertainment industry.
 - In compliance with applicable laws and regulations.
- (U) The audit topic was selected during the Office of Inspector General's annual planning process. The CIA is a frequent subject of entertainment projects, including books, television programs, documentaries, and motion pictures. The protection of national security information and CIA equities is essential when engaging with the entertainment industry and formal processes are important controls in mitigating associated risks.
- (U) The scope of the audit included CIA engagement with entertainment projects—books, television programs, documentaries, and motion pictures—completed or in production between January 2006 and the initiation of the audit on 2 April 2012.

(U//FOUO) To accomplish the audit objectives, we:

- Reviewed the letter sent from Peter King, Chairman of the House Committee on Homeland Security, to the CIA and Department of Defense (DoD) Inspectors General on 9 August 2011 in which he expressed concern regarding ongoing leaks of classified information relating to sensitive military operations; we also reviewed the media publications referenced in the letter to obtain additional background information on his concerns.
- Obtained from OPA a list of entertainment projects with which the CIA was
 involved that included books, television programs, documentaries, and
 motion pictures. The list comprised 22 projects, 16 of which were within
 the scope of the audit. We judgmentally selected eight projects—two
 books, two television programs, two documentaries, and two motion
 pictures—for review to assist in assessing CIA processes.
- Identified and reviewed applicable federal laws and Agency regulations
 related to CIA engagement with the media. We incorporated these laws and
 regulations into a checklist used to review entertainment projects and
 interview CIA officers involved with the projects.

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- Reviewed each project selected in the sample by reading the book or watching the documentary or television program for familiarization with the project, to assist in determining whether CIA engagement with the project was effective in achieving CIA's goal, and to identify current and former CIA officers involved with the project. We were unable to watch the two motion pictures selected as part of the sample because they were still in production at the time of the audit.
- Obtained and reviewed OPA's records of engagement on each project selected in the sample to assist in assessing CIA processes.
- Interviewed a judgmental sample of current CIA officers who were involved with five of the eight projects in the sample to assist in assessing CIA processes; due to limited records, we were unable to determine whether current CIA officers were involved with the remaining three projects and the total population of CIA officers involved with the projects.
- Interviewed the Chair of the Publications Review Board (PRB) to obtain an understanding of the PRB's role in CIA processes for engaging with the entertainment industry.
- Interviewed OPA officials to obtain an understanding of CIA processes.
- Reviewed the draft guidance developed by OPA for CIA interaction with the entertainment industry.
- Collected information regarding costs incurred as a result of CIA engagement with the entertainment industry.
- Obtained and reviewed DoD instructions and met with DoD OIG officers to benchmark practices.
- (U) We conducted this performance audit from April to June 2012 and in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on the audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on the audit objectives.

(U//FOUO) Comments on a draft of this report were provided by the Director, OPA in coordination with the Office of General Counsel; the Office of Security; the Office of Corporate Strategy, Policy, and Integration; and by the Chair, PRB. We considered the comments in preparing the final report.

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Exhibit B

(U) Recommendations

(U//FOUO) Recommendation 1—(significant)—For the Director of Public Affairs: Implement a central recordkeeping capability for entertainment industry requests to CIA for briefings, interviews, visits, or other support that documents key data, such as, but not limited to:

- a. Project name and description.
- b. Names of persons and entities requesting CIA support.
- c. Subject matter involved in the project.
- d. Nature and extent of support requested from CIA.
- e. History of prior requests for CIA support from the same persons and entities.
- f. Justification for the decision to support or deny support to the project.
- g. Detailed descriptions of briefings, interviews, visits, or other CIA support to the project, such as transcripts of briefings provided by current and former CIA personnel and summaries of interviews of current and former CIA employees.
- h. Approval by the Director, OPA and the directorate involved for all CIA activities undertaken in support of the project.
- i. Time period of CIA participation in the project.
- j. Names of all current and former CIA personnel involved in activities undertaken in support of the project.
- k. Documentation that materials presented by current and former CIA personnel have been appropriately reviewed by the Publications Review Board.
- 1. Certification by the Director, OPA that briefings, interviews, and other CIA support did not divulge classified information or intelligence sources and methods.
- m. Names and identifying information for all entertainment industry persons who had access to CIA personnel and/or facilities.
- n. Assessments of entertainment industry personnel's cooperation with CIA during the project and whether the project furthered CIA's goal in engaging with the entertainment industry, and other information that would be useful in decisions concerning future requests for CIA support.
- o. Costs incurred by CIA in supporting the project and whether reimbursement was obtained.

(U//FOUO) Recommendation 2—For the Director of Public Affairs: Issue guidance on contact with the entertainment industry and support to entertainment industry projects to help ensure that current and former CIA employees comply with CIA security requirements in their interactions with the entertainment industry.

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(U//FOUO) Recommendation 3—For the Director of Public Affairs, in coordination with the General Counsel: Establish a documented policy for determining when fees should be charged by CIA in providing support to entertainment industry projects and how those fees are collected.

(U) The status of significant recommendations will be included in the Inspector General's semiannual reports to the Director, Central Intelligence Agency.

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