

~~ADMINISTRATIVE - INTERNAL USE ONLY~~

Date: 05/28/2003 (Regulations may contain various dates)

Category: 5 - Publications OPR: GS

Title: AR 5-1 THE AGENCY REGULATORY SYSTEM



This regulation was revised [redacted] *(secure).*

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1. THE AGENCY REGULATORY SYSTEM

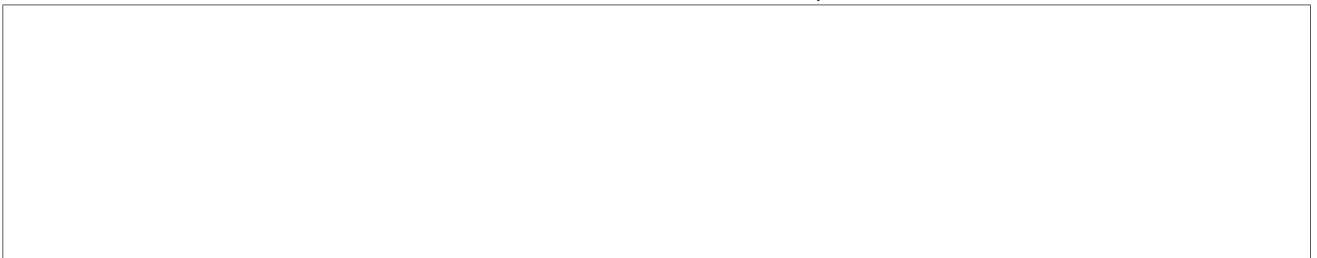
SYNOPSIS. This regulation prescribes policy and responsibilities regarding management of the Agency regulatory system.

a. AUTHORITY. In accordance with AR 1-1Notes Link, Agency regulations are issued pursuant to the National Security Act of 1947, as amended; the Central Intelligence Agency Act of 1949, as amended; Executive Order 12333; and other applicable law or directives.

b. DEFINITIONS

(1) **AGENCY REGULATIONS (ARs)** are Agency-wide directives of a continuing nature that prescribe Agency policies, implement and define authorities, and assign responsibilities.

- (2) **AGENCY NOTICES (ANs)** are used to announce new or modified Agency-wide policy and explain changes to existing policy that are either time-critical or temporary in nature. Policy of a continuing nature and changes to policy that are not time-critical should be written directly into the appropriate ARs. Agency notices will contain an expiration date. Before the expiration date expires, new or modified policy will be incorporated into appropriate regulation(s) or reissued. Agency policy set forth in an AN that expires without being reissued or incorporated into an AR, ceases to be Agency policy upon the date of expiration contained in the notice. ANs have the force and effect of Agency regulations.
- (3) **AGENCY HANDBOOKS (AHBs)** are used to provide instruction, guidance, and explain procedures with respect to the policies prescribed in ARs and ANs. AHBs do not have the force of Agency regulations or notices.
- (4) **AGENCY REGULATORY SYSTEM** consists of an automated regulatory coordination process [redacted] electronic databases for the formal coordination and posting of regulatory issuances as defined by this regulation, and records repositories containing historical information about past regulatory issuances. (b)(3)
- (5) **EMPLOYEE BULLETINS (EBs)** are corporate statements used to reiterate existing policy or to notify employees of important programs or activities. EBs are not regulatory issuances and, therefore, do not contain new or revised policy. Current EBs are contained in an electronic Lotus Notes database. Other informal items of general interest to employees can be submitted through the Office of Public Affairs for publication.
- (6) **OFFICE OF PRIMARY RESPONSIBILITY (OPR)** is the component representative responsible and accountable for initiating, coordinating, and managing the dissemination of new or revised regulatory issuances. The OPR is generally the office charged with implementing the policy statement.
- (7) **REGULATORY AUTHENTICATOR** is responsible for the final review of all ARs and ANs prior to publication. The final review will ensure clarity and readability of regulatory issuances.
- (8) **REGULATORY ISSUANCES** are ARs and ANs containing Agency policy and/or guidance that are a part of the Agency regulatory system. Regulatory issuances should contain only necessary policy statements and be written in plain English language. Details of process or procedures necessary to carry out the policy statement should not be written into the AR or AN but placed into other supporting documentation such as AHBs, EBs, Component Instructions, or other format as determined appropriate by the OPR. (b)(3)





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c. GENERAL

- (1) ARs and ANs are policy directives that include Agency policies:
 - (a) Agency policies required by law and/or to implement the authorities of the Director of Central Intelligence (DCI).
 - (b) Essential for the health and safety of Agency resources; and
 - (c) Essential for standardization of Agency activity.
- (2) All ARs and ANs are to be coordinated before publication. Agency coordinators will



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- (4) Pen and Ink changes are used to provide clarity to existing policy in regulatory issuances. The OPR is responsible for providing a copy of when the Pen and Ink change is submitted for publication. No new or revised policy will be implemented by a Pen and Ink change.
- (5) AHBs, created by OPRs, are generally not subject to formal coordination, and are not considered to be part of the regulatory issuance. However, an OPR may include an AHB as part of the Agency's regulatory system for information purposes if:
 - (a) An AR or AN specifically references or cites the AHB;
 - (b) The AHB presents information employees need to effectively carry out the policies set forth in the AR or AN; and

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d. RESPONSIBILITIES

(1) **CHIEF, GLOBAL SUPPORT.** The Chief, Global Support (C/GS) will manage and administer the Agency regulatory system including selection of one or more Regulatory Authenticators.

(2) **OFFICE OF PRIMARY RESPONSIBILITY.** An OPR will:

(a) Initiate new or revised regulatory issuances.

(b) Review existing regulations at least on an annual basis to ensure they reflect current legal requirements and Agency policy.

(c) Monitor changes in Federal laws, Executive orders, Presidential directives, and other applicable directives and incorporate applicable portions into the appropriate regulation(s) in a timely manner.

(d) Coordinate proposed regulatory issuances in accordance with this regulation.

(e) Obtain concurrence from any other component that has related or interdependent responsibilities and functions.

(f) Resolve any differences among coordinators.

(g) Forward fully coordinated proposals [redacted] for verification and further processing.

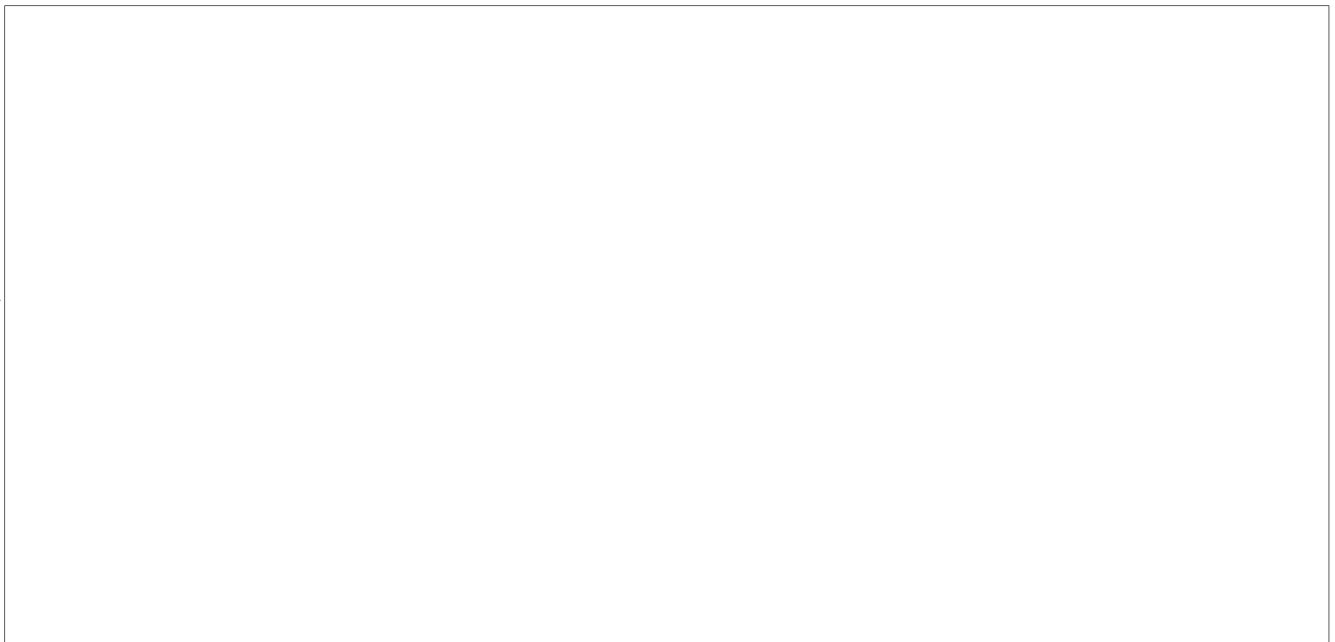
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(h) Develop procedures to ensure effective implementation of regulatory issuances and, as necessary, include these procedures in other publications.

(i) Determine if the information contained in ANs should be sent to employees in the domestic and foreign fields or advertised through one of the informal communication mechanisms (for example, EBs). Prepare cables for dissemination of information as appropriate.

(j) Inform [redacted] of any changes in initiators. (An initiator is an OPR focal point that creates or revises regulatory issuances in the automated Regulatory Coordination database, as defined in paragraph b(4) above.)

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(3) Provide advice and recommendations concerning the regulatory coordination process, the content of the Regulatory Repository, and related topics.

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e. APPROVAL

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f. WAIVER

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