

DID THE US ISSUE A PRIOR RESTRAINT REQUEST TO THE NYT, TOO?

Skdadl, who has been tweeting up a storm on the upcoming WikiLeaks dump, noted that the British government has issued D-notices regarding the upcoming dump, which is basically a non-binding request on editors to brief the government before doing a story.

The news came to light in two Tweets from WikiLeaks one of which said, "UK Government has issued a "D-notice" warning to all UK news editors, asking to be briefed on upcoming WikiLeaks stories." The follow up pointed out that the notices were "Type 1" which relates to "Military Operations Plans and Capabilities", and "Type 5" which relates to "United Kingdom Security and Intelligence Special Services."

Here's the content of the D-notice:

**Subject: DA Notice Letter of Advice to
All UK Editors – Further Wikileaks
Disclosures**

To All Editors

Impending Further National Security
Disclosures by Wikileaks

I understand that Wikileaks will very shortly release a further mass of US official documents onto its internet website. The full scope of the subject matter covered by these documents remains to be seen, but it is possible that some of them may contain information that falls within the UK's Defence Advisory Notice code. Given the large number of documents thought to be

involved, it is unlikely that sensitive UK national security information within these documents would be recognised by a casual browser. However, aspects of national security might be put at risk **if a major UK media news outlet brought such information into obvious public prominence through its general publication or broadcast.**

Therefore, may I ask you to seek my advice before publishing or broadcasting any information drawn from these latest Wikileaks' disclosures which might be covered by the five standing DA Notices. In particular, would you carefully consider information that might be judged to fall within the terms of DA Notice 1 (UK Military Operations, Plans and Capabilities) and DA Notice 5 (UK Intelligence Services and Special Forces). **May I also ask you to bear in mind the potential consequential effects of disclosing information which would put at risk the safety and security of Britons working or living in volatile regions where such publicity might trigger violent local reactions, for example Iran, Iraq, Pakistan and Afghanistan?** [my emphasis]

Of course, there's something odd about this effort.

The intertoobz don't have national boundaries.

So even if the Brits are successful at getting the British press not to cover these stories, that doesn't prevent media outlets outside of the UK from reporting on them, making them available to be read within the UK (or, given that the concern seems to focus on our war zones, Pakistan).

Mind you, the D-notice seems to be particularly concerned about major outlets and the "prominence" they can accord. And since with the

last dump, at least, WikiLeaks actually did a great deal of redacting before releasing the documents via its public site, it would suggest the British government would be most worried about the one British outlet that got advance copies – presumably unredacted ones – of the latest dump.

So, the Guardian.

FWIW, here's what the Editor-in-Chief for the Guardian – which presumably has had the files in question for some time – had to say about the D-notice.

Puzzled by DA Notice re #wikileaks.
Overwhelming majority of t stuff not covered. "Safety + security of Brits" nothing to do w DNotice

I'm not entirely sure what he means – though presumably he's signaling that the bulk of the material in the document dump has nothing to do with the UK's military and intelligence operations. In any case, it doesn't sound like the one recipient of the D-notice who has seen the documents thinks it's an entirely credible request.

But that still leaves the borderless tooz problem. Even assuming the Brits could get the Guardian to snitch out Wikileaks, that doesn't mean the NYT or Spiegel or al-Jazeera will spike any stories that threaten British national security.

Or does it?

I certainly can't speak for Der Spiegel's independence. (Though on Afghan policy, the Merkel government may have reason to want to help quash this dump.) Al-Jazeera has been pressured by the US for ten years now.

And then there's the NYT.

If the Brits have taken the step of asking British editors for prior restraint, then do you really think the US government hasn't done the

same with the outlets with which it has influence?

And Bill Keller would presumably be amenable. After all, he was willing to spike the illegal wiretap story for an entire year until James Risen's book threatened to scoop his own employer. The NYT rather remarkably published a whole series from the last WikiLeaks dump – complete with ~~Judy Miller's~~ Michael Gordon's involvement – that fit nicely into the Pentagon's spin. And then, when the NYT's more dangerous treatment of the documents than Wikileaks itself may have endangered Americans captured in Iran, the NYT published a very weird story that appears to have everything with the State Department's efforts to fix the damage done and nothing to do with exposing the truth.

The only way the British D-notice makes sense, IMO, is if Britain's partners are making similar efforts to request prior restraint from the other major news outlets that have the Wikileaks dump.