

What is Mandatory Declassification Review (MDR)?

- MDR is a mechanism through which the public can request declassification review of classified records, regardless of age or origin, subject to certain limitations set forth in Executive Order (E.O.) 13526, “Classified National Security Information”.
- MDR is a tool for requesting specific classified documents and records; it is not for broad topical or generic subject requests like Freedom of Information Act (FOIA) requests.
- MDR requests should be filed directly with the agency holding classified records and must describe documents with sufficient specificity to allow the agency to locate the records with a reasonable amount of effort.
- Except for certain categories of information, *all* information classified under the Order or predecessor orders shall be subject to a review for declassification by the originating agency, if it meets the requirements of E.O. 13526, section 3.5.

What Classified Records are *not* Subject to MDR?

- Information exempted from search and review under certain sections of the National Security Act of 1947
- Information classified under the Atomic Energy Act of 1954, as amended
- Information originated by:
 - the incumbent President or Vice President or their White House staff
 - Committees, commissions, or boards appointed by the incumbent President
 - Other entities within the Executive Office of the President that solely advise and assist the incumbent President

What are the requirements for filing a MDR request?

- The request must be in writing.
- The request should state that it is a Mandatory Declassification Review request under section 3.5 of E.O. 13526.
- The request must describe the document(s) with sufficient specificity to enable the agency to locate it with a reasonable amount of effort.

Where should MDR requests be filed?

- For Army records with unknown originator and less than 25 years old, submit the MDR request to:

Army Declassification Activity
Suite 300
8850 Richmond Hwy
Alexandria, VA 22309

- For Army records 25 years old or older, submit the MDR request to:

National Archives and Records Administration
Chief, Special Access/FOIA Staff (NWCTF)
8601 Adelphi Road
College Park, MD 20740- 6001

- For records held by a Presidential Library, submit the MDR request to the appropriate library and see their addresses at the following links:

- <http://www.archives.gov/presidential-libraries/contact/libraries.html>
- <http://www.archives.gov/isoo/contact/mdr-contact.html>

- For records held by other Agencies, see the list in the Federal Register indicating to which person or office the MDR request should be submitted.

- <http://www.archives.gov/federal-register/index.html>
- <http://www.archives.gov/isoo/contact/mdr-contact.html>

What happens once a MDR request is submitted?

- The agency should respond, in writing, indicating the status of the request.
- If the request was for records subject to pending litigation or for records that have already been reviewed for declassification within the previous two years the requester will receive notification of the appeals process since those records are not subject to a new MDR review at the time of the request.
- The requester should receive a response from the agency within one year of the request; otherwise the requester has the right to file an appeal with the Interagency Security Classification Appeals Panel (ISCAP).
 - <http://www.archives.gov/isoo/contact/mdr-contact.html>
- If the agency denies the initial request, it must notify the requester of the right to file an administrative appeal and provide the address to which it should be sent.

MDR Appeals

- MDR appeals must first be administratively appealed with the denying agency before filing an appeal with ISCAP.
- MDR appeals for a denial from the Army should be addressed to: Department of the Army, Office of the General Counsel, 104 Army Pentagon, Washington, DC 20310-0104.
- The administrative appeal must be filed with the agency within 60 days of receipt of denial from the agency.
- Any appeal regarding MDR administrative appeal denial must be filed with ISCAP within 60 days of receipt of the denial. • <http://www.archives.gov/declassification/iscap/mdr-appeals.html>
- ISCAP is the highest appellate body for MDR.