

ISOO Training Tip #12

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TOPIC: Mandatory Declassification Review

What is Mandatory Declassification Review?

Mandatory Declassification Review (MDR) is a way for members of the public to request the review of specific classified information, regardless of its age. The requestor must describe the information with sufficient specificity to allow the agency to locate it.

Agencies shall establish procedures to review and process requests for mandatory declassification of information that no longer meets the standards of classification under E.O. 13256. The agency should release this information unless withholding is authorized and warranted under applicable law.

What are the limitations on Mandatory Declassification Review?

- Agencies can deny requests that:
 - do not contain sufficient specificity to allow the record to be found.
 - are the the subject of pending litigation.
 - were the subject of a review during the previous two years.*
 - are contained in the Central Intelligence Agency's operational files.
 - are requests for information created by the incumbent President, Vice President, the White House Staff and other entities that exist solely to advise the President.
 - are sent to the intelligence community agencies from foreign nationals or foreign governments.
- An agency may refuse to confirm or deny the existence or nonexistence of records when the fact of the existence or nonexistence is classified.

** The appropriate appeal rights must be granted to the requestor when declining an MDR on these grounds.*

What is the role of the Interagency Classification Appeal Panel?

If a response is not received from the applicable agency within the established time frames, the requestor has the right to appeal to the Interagency Security Classification Appeal Panel (ISCAP). The requestor may also appeal final decisions to the ISCAP.

For more information on the mandatory declassification review process, please view our [MDR Video](#).

References: [E.O. 13526](#), Sections 3.5 and 3.6 / [32 CFR 2001.33](#)



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