



USAID
FROM THE AMERICAN PEOPLE

ADS Chapter 510

Mandatory Declassification Review

Revision Date: 12/14/2011
Responsible Office: M/MS/IRD
File Name: 510_121411

**Functional Series 500 – Management Services
ADS 510 - Mandatory Declassification Review**

Table of Contents

<u>510.1</u>	<u>OVERVIEW</u>	<u>3</u>
<u>510.2</u>	<u>PRIMARY RESPONSIBILITIES</u>	<u>3</u>
<u>510.3</u>	<u>POLICY DIRECTIVES AND REQUIRED PROCEDURES</u>	<u>3</u>
<u>510.3.1</u>	<u>Mandatory Declassification Review</u>	<u>3</u>
<u>510.3.1.1</u>	<u>Where to Direct MDR Requests</u>	<u>3</u>
<u>510.3.1.2</u>	<u>Determinations on MDR Requests</u>	<u>4</u>
<u>510.3.2</u>	<u>Mandatory Declassification</u>	<u>4</u>
<u>510.3.3</u>	<u>Application of the Freedom of Information Act (FOIA)</u>	<u>4</u>
<u>510.3.4</u>	<u>MDR Determination Appeals</u>	<u>4</u>
<u>510.4</u>	<u>MANDATORY REFERENCES</u>	<u>5</u>
<u>510.4.1</u>	<u>External Mandatory References</u>	<u>5</u>
<u>510.4.2</u>	<u>Internal Mandatory References</u>	<u>5</u>
<u>510.5</u>	<u>ADDITIONAL HELP</u>	<u>5</u>
<u>510.6</u>	<u>DEFINITIONS</u>	<u>5</u>

ADS 510 - Mandatory Declassification Review

510.1 OVERVIEW

This ADS chapter sets forth the Agency's policy on the processing of requests from the public for Mandatory Declassification Review (MDR). The purpose of a Mandatory Declassification Review is to determine whether or not classified documents should be declassified.

510.2 PRIMARY RESPONSIBILITIES

- a. The Director, Bureau for Management, Office of Administrative Services (M/AS) is responsible for releasing or withholding records under an MDR request.
- b. The Bureau for Management, Office of Administrative Services, Information and Records Division (M/AS/IRD) is responsible for processing MDR requests. This encompasses
 - Reviewing the request;
 - Coordinating with appropriate Agency Bureaus/Offices for input;
 - Responding to the request;
 - Taking necessary declassification action if necessary; and
 - Assisting the Assistant Administrator for the Bureau for Management with any appeal proceedings.
- c. The Assistant Administrator, Bureau for Management (AA/M) is responsible for deciding appeals of MDR requests.

510.3 POLICY DIRECTIVES AND REQUIRED PROCEDURES

510.3.1 Mandatory Declassification Review

The Agency must adhere to the Mandatory Declassification Review (MDR) policies and procedures in [Section 3.6 of Executive Order \(EO\) 12958, Classified National Security Information](#).

510.3.1.1 Where to Direct MDR Requests

Members of the public, departments, and other agencies must direct requests to

Chief, Information and Records Division (M/AS/IRD)
U.S. Agency for International Development

Ronald Reagan Building
2.07-C
Washington, DC 20523-2701

510.3.1.2 Determinations on MDR Requests

The Chief, M/AS/IRD assigns MDR requests to a Declassification Officer for action. The Declassification Officer must coordinate the review of classified documents with the appropriate office, as necessary. A determination must be made within 30 days of receipt of the MDR.

510.3.2 Mandatory Declassification

When declassification is necessary, the Agency must adhere to the Mandatory Declassification policies in [Section 3.6\(c\) of EO 12958](#).

The Chief, M/AS/IRD must provide the Office of Security (SEC) information on the disposition of all mandatory declassification actions for the annual report to the Information Security Oversight Office (ISOO).

510.3.3 Application of the Freedom of Information Act (FOIA)

All declassified records must be requested under the FOIA and are still subject to being withheld under one or more of the nine exemptions from disclosure permitted under the FOIA. Certain records, classified or not, will never be released to the public. (See Mandatory References, [Section 6.1\(c\) of EO 12958](#) and [ADS 507, Freedom of Information Act](#))

510.3.4 MDR Determination Appeals

If a member of the public, department, or other agency is denied an MDR request, he or she may appeal the decision. Send appeals to

The Assistant Administrator for Bureau for Management (AA/M)
U.S. Agency for International Development
Ronald Reagan Building
6.09-036
Washington, DC 20523-6901

The AA/M may request the General Counsel, appropriate Assistant Administrators, Office Directors, and other USAID officers to review appeals of MDR request denials and submit written recommendations. The AA/M's decision on an appeal is the Agency's final decision on that MDR request. (See Mandatory Reference, [Section 3.6\(d\) of EO 12958](#))

510.4 MANDATORY REFERENCES

510.4.1 External Mandatory References

- a. [Executive Order 12958, Classified National Security Information](#)
- b. [12 FAM 500, Information Security](#)

510.4.2 Internal Mandatory References

- a. [ADS 507, Freedom of Information Act](#)

510.5 ADDITIONAL HELP

510.6 DEFINITIONS

Declassification Officer

The person who reviews classified documents and makes the determination on whether documents may be declassified. (Chapter 510)

510_121411