

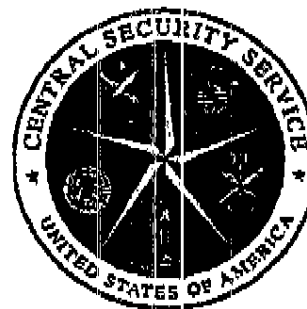
DOCID: 2255322

REF ID: A2668536

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~



NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
NSA/CSS POLICY NUMBER 1-15



Issue Date: 24 February 03
Revised:

(U) MANDATORY DECLASSIFICATION REVIEW PROGRAM

(U) PURPOSE AND SCOPE

(U) This Policy implements the NSA/CSS Mandatory Declassification Review (MDR) Program in response to Executive Order (EO) 12958, "Classified National Security Information." (Reference a) This Policy assigns responsibility for responding to written requests made pursuant to the EO and provides for the review required to determine the appropriateness of release of NSA/CSS documents and information.

(U) Any person or entity may submit a request for mandatory declassification review.

(U) Mandatory Declassification Review (MDR) does not apply to information: exempt from search and review under the Central Intelligence Agency Information Act, subject of pending litigation, reviewed for declassification within the past 2 years, or originated by the President, White House staff, committees, commissions or boards appointed by the incumbent President or other entities within the Executive Office of the President that solely advise and assist the President.

A. A. Miller
A. A. MILLER
RDML, USN
Chief of Staff

[Signature]
Endorsed by
NSA/CSS Director of Policy

DISTRIBUTION IV
PLUS: DC323 (25 Stock Copies)
DC31
DC324 (VR)

Released by NSA on 9/24/2003
pursuant to the Freedom of Information Act
Case #: 42947

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

DOCID: 2255322

REF ID: A2668536

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Policy 1-15

Dated:

(U) This Policy 1-15 supersedes NSA/CSS Regulation 21-20, dated 1 November 1999.

(U) OPI: DC323 (972-2352s)

(U) The compilation of the information contained in this document should be treated as UNCLASSIFIED//FOR OFFICIAL USE ONLY. No section of this document should be released without approval from the Office of Policy, DC3.

(U) POLICY

1. (U) NSA shall determine the appropriateness of release of NSA/CSS documents and information and make records available in accordance with EO 12958. All requests must be made in writing. Oral requests for the declassification of information or records will not be accepted.

(U) PROCEDURES

2. (U) The request for a review must be limited in scope and/or describe the document or material with sufficient specificity to enable location within a total of 2 hours. If a search of more than 2 hours is required, the request will be denied and the requester will be offered the option of having the request processed under the Freedom of Information Act (FOIA). When organizations outside the NSA Office of Policy receive requests under the MDR program for access to NSA/CSS records, the request shall be delivered to the NSA Director of Policy immediately upon recognition as an MDR request.

3. (U) When a requester submits a request both under the Mandatory Declassification Review and the FOIA, NSA/CSS shall require the requester to elect one process or the other. If the requester fails to elect a process, the request will be treated as a FOIA request unless the requested materials are subject only to mandatory declassification review.

4. (U) If the material has been reviewed within the past 2 years for a different requester under a release program (e.g., the FOIA) the material will not be reviewed again, but will be released to the current requester as it was previously released. If the same requester submits a second request for the same information within 2 years or if the material is the subject of pending litigation, the request will be denied and the requester shall be informed of his right to appeal.

5. (U) Allowing for resource limitations, every effort shall be made to ensure that a response to an MDR is provided to a requester within 180 days as stipulated by Reference b. Requests to NSA will normally be processed in the order in which they are received.

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

DOCID: 2255322

REF ID: A2668536

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Policy 1-15

Dated:

(U) RESPONSIBILITIES

6. (U) The NSA Chief of Staff shall oversee the NSA/CSS MDR program.
7. (U) The Office of Policy (DC3) is the NSA/CSS focal point for responding to MDR requests. The Office of Policy shall:
 - a. (U) Receive and staff all initial requests for the declassification and release of information pursuant to provisions of EO 12958 regarding mandatory declassification review;
 - b. (U) Conduct the necessary reviews to determine the classification of information pursuant to EO 12958;
 - c. (U) Withhold information currently and properly classified pursuant to EO 12958;
 - d. (U) Release all unclassified information, unless withholding it is otherwise authorized and warranted under other applicable law; and
 - e. (U) Publish in the Federal Register the identity of the NSA/CSS office to which an MDR request should be addressed.
8. (U) The Deputy Director, NSA, shall serve as the MDR Appeal Authority required by Reference a for considering appeals of adverse classification determinations made by the Director of Policy. In the absence of the Deputy Director, the NSA Chief of Staff shall serve as the Appeal Authority.
9. (U) The Office of General Counsel (OGC) shall review and staff the appeals of adverse determinations made by the Director of Policy. In doing so, the OGC shall:
 - a. (U) Review all classified information contained in the records under appeal to ensure compliance with EO 12958; and
 - b. (U) Prepare an appropriate reply to such appeals and submit that reply to the NSA MDR Appeal Authority for final decision.

(U) REFERENCES

10. (U) References:
 - a. (U) EO 12958, "Classified National Security Information," dated 17 April 1995.

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

DOCID: 2255322

REF ID:A2668536

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

Policy 1-15

Dated:

b. (U) Implementing Directive for Executive Order (EO) 12958, Classified National Security Information, 32 CFR Part 2001, dated October 1995.

(U) DEFINITIONS

11. (U) Mandatory Declassification Review (MDR) - The review for declassification of classified information in response to a request for declassification that meets the requirement under section 3.6 of EO 12958.

12. (U) MDR Request - A written request for the declassification of specific U.S. Government records. NSA/CSS receives requests for MDR either directly from a private citizen, a private entity, another government entity, or by referrals of requests submitted to presidential libraries and/or other government entities which hold records containing NSA/CSS equities.

13. (U) Records - The products of data compilations, such as books, papers, maps, photographs, machine-readable materials or other documentary materials, regardless of physical form or characteristics, made or received by an agency of the U.S. Government under Federal law and in possession and control of the agency at the time the request for an MDR is received.

~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~