

Form A2-1. FOIA and Mandatory Declassification Review Request for UAP-Related Directives, Legal Opinions, and Classification Guides

Instructions page. Delete this page before use. Sample template for use by or with a licensed attorney. Not legal advice. Laws differ by jurisdiction and change; adapt the document to your facts and check every citation before relying on it. Version 1.10, October 2026. Legal information, not legal advice. Published by the Emergent Frontiers Institute (NHI Law is not a law firm). Citations checked in October 2026; check every citation before relying on it. Web version: <https://nhilaw.com/forms/a2-1.html>

Use. Seeks the instruments said to govern UAP programs: presidential directives as received and implemented by agencies, Office of Legal Counsel opinions, security classification guides, and special access program documentation. The request is drafted to avoid the problems courts have identified: directives held only by the White House or NSC (the agency-record argument accepted in *EPIC v. NSA*, 988 F. Supp. 2d 1 (D.D.C. 2013), vacated in part, No. 13-5369 (D.C. Cir. July 31, 2014); *Main Street Legal Servs. v. NSC*, 811 F.3d 542 (2d Cir. 2016)); vague subject-matter descriptions; and searches that omit obvious synonyms (*Slaughter v. Dep't of the Air Force*, 2026 WL 571249 (D.D.C. Mar. 2, 2026)).

Where to send. FOIA officers for: Office of the Secretary of War / Joint Staff (DoD ESD); AARO (through OSD); Department of the Air Force (including NASIC and SAF/AQL, Special Programs); Department of the Navy (including ONI); Department of the Army; DIA; NRO; NGA; NSA; CIA; ODNI; DOE (including Office of Intelligence and Counterintelligence and NNSA); NASA; FBI; DOJ Office of Legal Counsel; DOJ National Security Division; Department of State. For MDR, send to the same components' MDR offices under EO 13526 §3.5 and 32 C.F.R. §2001.33.

When to use. Requesting directives, guides, and other instruments that govern UAP handling, by FOIA or mandatory declassification review. **Not for:** Records of a particular event ([Form B1-1](#)).

Deadlines. FOIA: determination within 20 working days (5 U.S.C. §552(a)(6)(A)(i)); appeal at least 90 days after a denial. MDR: final determination within one year; appeal within 60 days of a denial; agency appeal decision normally within 60 working days (32 C.F.R. §2001.33).

[Requester name, organization, address, email, phone]

[Date]

[Agency] FOIA / Mandatory Declassification Review Office

[Address / portal]

Re: Freedom of Information Act request [and, in the alternative or in parallel, Mandatory Declassification Review request] for directives, legal opinions, and classification guidance concerning unidentified anomalous phenomena

Dear FOIA Officer:

Under the Freedom of Information Act, 5 U.S.C. §552, I request copies of the following records. [For MDR: Under section 3.5 of Executive Order 13526, I request declassification review of the records described in items 1 through 5.]

Definitions. “UAP” means unidentified anomalous phenomena as defined in 50 U.S.C. §3373(n)(8) and includes the terms “unidentified aerial phenomena,” “unidentified aerospace phenomena,” “unidentified flying objects,” “UFO,” “UAP,” “flying saucers,” “flying discs,” “anomalous,” “non-human intelligence,” “NHI,” “technologies of unknown origin,” and “biological evidence of non-human intelligence.” “Directive” includes any executive order, national security directive of any series (including NSAM, NSDM, PD, NSDD, NSD, PDD, NSPD, HSPD, PPD, NSPM, and NSM), presidential memorandum, presidential finding, memorandum of notification, and any instruction from the Executive Office of the President.

Records requested.

1. Any directive, in the form received by or transmitted to [agency], that addresses UAP, including the reporting, investigation, collection, retrieval, storage, analysis, or exploitation of UAP or of materials or technology associated with UAP, from January 1, 1947 to the date of the search.
2. Any implementing instruction, memorandum, or guidance issued by [agency] under a directive described in item 1.
3. Any opinion, memorandum, or letter of the Department of Justice Office of Legal Counsel received by [agency] concerning UAP, concerning the authority to withhold UAP-related information from Congress, or concerning the application of 50 U.S.C. §3373b, Pub. L. No. 118-31, §1687, or Pub. L. No. 118-31, §§1841-1843.
4. Every security classification guide, classification matrix, or portion of a guide that addresses UAP, including any guide identified in response to the FY2026 National Defense Authorization Act’s requirement that AARO account for UAP-related classification guides.
5. Records sufficient to show the title, number, date, and originating office of each item responsive to items 1 through 4 that [agency] withholds in full.
 - 5A. Specific instruments, to the extent they exist and are held by [agency]:
 - (a) the “classified policy parameters” for responding to unidentified aerial objects that the President described on February 16, 2023, in the form received by [agency];

(b) the “UAP Security Classification Guide” referenced in the Joint Staff J3 GENADMIN of May 19, 2023 (DoD FOIA 24-F-0067), and any successor guide;

(c) any memorandum establishing or terminating the Airborne Object Identification and Management Synchronization Group (AOIMSG) or establishing AARO; and

(d) any directive or memorandum governing the handling of disclosures received under 50 U.S.C. §3373b.

6. [Historical:] All editions and changes of JANAP 146 (Communication Instructions for Reporting Vital Intelligence Sightings), AFR 200-2, and AFR 80-17, and any successor instruction governing reports of UAP.

Search. Please search the record systems of [components], including email, classified networks, SAP and controlled-access program repositories, and records retired to federal records centers, and please use the terms in the Definitions paragraph, including the abbreviations UAP and UFO. Please identify the record systems searched and the search terms used in your response. *See Slaughter*, 2026 WL 571249, at *4.

Official acknowledgment. The following have been officially acknowledged and cannot properly be the subject of a refusal to confirm or deny the existence of records: [list statutes, AARO reports, sworn testimony of officials, PURSUE releases relevant to the agency]. *See ACLU v. CIA*, 710 F.3d 422 (D.C. Cir. 2013).

Presidential communications privilege. To the extent [agency] holds a directive that was transmitted to it for implementation, the presidential communications privilege does not apply. *Center for Effective Gov’t v. U.S. Dep’t of State*, 7 F. Supp. 3d 16 (D.D.C. 2013).

Segregability. Please release all reasonably segregable non-exempt portions, including titles, dates, and distribution lists, and identify the exemption claimed for each redaction.

Fees. I request [news media / educational / public interest] fee status and a fee waiver under 5 U.S.C. §552(a)(4)(A)(iii). Disclosure will contribute significantly to public understanding of the operations of the government because [explain: publication on nhalaw.com or other outlet; analysis; no commercial interest]. If fees are assessed, please notify me before incurring more than \$ [amount].

Expedited processing. [If applicable: I request expedited processing under 5 U.S.C. §552(a)(6)(E) because there is an urgency to inform the public concerning actual or alleged federal government activity, as shown by [current congressional action on the UAP Disclosure Act, the PURSUE program, and related hearings], and I am primarily engaged in disseminating information. I certify that this statement is true and correct to the best of my knowledge and belief.]

Please send records electronically to [email]. Thank you.

Sincerely,
[Name]

Drafting notes

- Requests for a specific directive should identify it as precisely as possible (series, number, date, subject). FAS indexes of directives (irp.fas.org/offdocs) help.
- Do not send a single request to many agencies through one portal; each component searches only its own records.
- MDR cannot be used for records that are the subject of pending litigation (EO 13526 §3.5(a)). Requests must be specific enough to locate records with reasonable effort; agencies have one year to decide (32 C.F.R. §2001.33(a)(2)). Decide early which route to use for each record.
- Keep copies of all correspondence; the administrative record matters in a later suit (Form B1 series).
- **MDR-only version.** To use mandatory declassification review alone, address the agency's MDR office, cite EO 13526 §3.5 and 32 C.F.R. §2001.33, describe each record specifically enough to locate it "with a reasonable amount of effort," omit the FOIA fee, search, and expedition paragraphs, and add: "If any portion is denied, please identify the appeal authority. I intend to appeal any denial to the Interagency Security Classification Appeals Panel."
- **On the AARO premise.** The site assumes AARO is part of the concealment. Send the request to AARO, but send the same request to OSD, the Joint Staff, and each service so that a single office's response does not define the record.