

Form H2-1. Privacy Act and FOIA Request for Records of Detention, Examination, or Human-Subject Research Involving the Requester

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Use. A person believes that personnel of a military service, an intelligence agency, or a contractor detained, questioned, drugged, or examined them, or used them as a research subject, and wants the agency's records about them. The request is made under both the Privacy Act (for records retrieved by the requester's name or identifier) and FOIA (for everything else), so that an exemption under one statute does not end the search. Send a separate request to each agency. [Issue H2](#) explains why records that tie an identified agency or facility to a specific date decide these cases.

When to use. Requesting one's own records from DoD components, the CIA, NSA, DIA, the FBI, the Department of Energy, or the VA about detention, examination, or research use. **Not for:** Records of a UAP event with no personal involvement ([Form B1-1](#)), or records describing the requester's First Amendment activity ([Form H3-1](#)).

Deadlines. FOIA determination within 20 working days (5 U.S.C. §552(a)(6)(A)(i)). The Privacy Act has no statutory deadline for access; agency regulations set one. Administrative appeal deadlines are usually 90 days from the determination ([Form B1-2](#) for appeals).

[Requester full name, any former names, date and place of birth, address, email, phone]

[Date]

[Privacy Act / FOIA Officer]

[Agency and component]

[Address or portal]

Re: Privacy Act and Freedom of Information Act request for records about [Requester]

Dear Privacy Act and FOIA Officer:

Under the Privacy Act of 1974, 5 U.S.C. §552a(d)(1), and the Freedom of Information Act, 5 U.S.C. §552, I request access to and copies of all records about me, as described below. Please process this request under both statutes and apply whichever gives greater access to each record.

1. Identifying information. [Full name and former names; date and place of birth; Social Security number (last four digits, or the full number if the agency's rules require it for a Privacy Act search); military service number, branch, units, and dates of service, if any; employer and contractor badge numbers, if any; addresses during the period.] Verification of identity is enclosed [notarized statement or statement under penalty of perjury under 28 U.S.C. §1746].

2. Period. [Start date] through the present.

3. Events. I ask that the search include records relating to the following, which I describe from my own recollection: - On or about [date], at or near [location], I was [taken / held / questioned / examined] by persons who [wore uniforms bearing ___ / identified themselves as ___ / transported me in ___] at a facility I believe to be [___]. - [Additional events.]

4. Records requested. All records about me, including: 1. records of detention, custody, transport, questioning, or debriefing; 2. medical, psychological, and laboratory records, including records of any examination, procedure, drug or substance administered, sample taken, or device placed; 3. records showing my participation, with or without consent, in any research, test, or experiment involving human subjects, including informed-consent records, institutional review board or human-subjects committee records, protocol and subject lists, and volunteer registry entries; 4. records of any notice given or required to be given to me as a former research subject, including notices under Army Regulation 70-25 or successor regulations; 5. security, counterintelligence, or investigative files in which I am named; 6. correspondence, memoranda, and reports mentioning me by name or identifier; 7. records reflecting the destruction or transfer of any record described above.

5. Record systems. Please search at least: [for DoD: the component's medical and research records systems, the Research and Experimental Case Files and Medical Research Volunteer Registry systems or their successors, the service's counterintelligence and investigative systems (e.g., AFOSI, NCIS, Army CID), and the component's human research protection office]; [for the CIA: Directorate of Operations, Directorate of Science and Technology, Office of Medical Services, and Office of Security systems]; [for the VA: the claims file and health records]. Please also search files maintained by contractors on the agency's behalf, which are agency records for these purposes (5 U.S.C. §552a(m)).

6. Search description. Please identify the systems searched, the search terms and identifiers used, and the date range, so that the adequacy of the search can be evaluated.

7. Exemptions and Glomar responses. If the agency withholds a record or refuses to confirm or deny its existence, please state the exemption relied on under each statute and release all reasonably segregable portions. The Privacy Act's exemptions and FOIA's exemptions are applied separately, and a record exempt under one may be available under the other (5 U.S.C. §552a(t)).

8. Preservation. Please preserve all records responsive to this request, including records scheduled for destruction, until the request and any appeal or litigation are finally resolved.

9. Fees. I am an individual requesting records about myself. [I agree to pay fees up to \$__ / I request a fee waiver because __.]

I declare under penalty of perjury under the laws of the United States that I am the person named above and that the information in this request is true and correct. 28 U.S.C. §1746.

[Signature] [Date]

Drafting notes

- Describe events in plain, factual terms and state only what the requester perceived. Leave out NHI material unless it is needed to identify the event; records searches turn on names, dates, places, and identifiers.
- Send the request to each plausible agency and component separately. For the CIA, expect a Glomar response and exemption of operational files under 5 U.S.C. §552a(j)(1) and 50 U.S.C. §3141; the request still creates a record and supports a later appeal.
- For a former service member, also request the service treatment record and personnel file from the National Personnel Records Center, and the VA claims file. A notice or registry entry can support an APA claim for notice and medical care (*Vietnam Veterans of America v. CIA*, 811 F.3d 1068 (9th Cir. 2016); [Issue H2 §2](#)).
- An agency's statement that it found no records is not evidence that no event occurred, and a requester should not describe it that way in later filings.