

MEMORANDUM

September 7, 1995

To: FOIA Affirmative Disclosure File

From: Laura Denk

Subject: Reading Room Documents

I called Carol Hebert at DOJ/OIP today regarding whether the FOIA requires the Review Board to copy and mail documents available in our Public Reading Room to FOIA requesters.

Ms. Hebert advised that if a document is *required* to be in the reading room by § 552(a)(1) and (a)(2) (and it is in fact there), agencies are not required to send it by mail to a requester under procedures set forth in (a)(3).

Ms. Hebert further advised that if the Review Board decides to go ahead and send such a document, we may inform the requester that it is sending the document as a courtesy (e.g. discretionary disclosure) and not because the FOIA requires us to do so. She mentioned that it is probably a good idea to go ahead and send reading room materials through the mail, if it is not too burdensome, as a courtesy.