October 22, 2001

MEMORANDUM FOR HEADS OF SERVICES AND STAFF OFFICES
REGIONAL ADMINISTRATORS

FROM:    RAYMOND J. McKENNA
         GENERAL COUNSEL (L)

SUBJECT: Memorandum from Attorney General Ashcroft
         Freedom of Information Act

I attach a copy of a memorandum from Attorney General John
Ashcroft concerning the Freedom of Information Act (FOIA).
Please disseminate the memorandum to any associate in your
organization whose duties might include determinations
whether to disclose or withhold agency records pursuant to
requests under the FOIA.

In his memorandum, Attorney General Ashcroft emphasizes the
importance of a well-informed citizenry to ensure that our
nation's leaders are accountable to the American people.
At the same time, the Attorney General recognizes the
importance of protecting our society's fundamental values,
which include safeguarding national security, enhancing
effectiveness of law enforcement agencies, protecting
sensitive business information, and preserving personal
privacy.

All agencies are asked to give careful consideration to
protection of these values when making determinations to
disclose or deny access to agency records. The Attorney
General has assured agencies that the Department of Justice
will defend determinations to withheld access to agency
records unless the decisions lack a sound legal basis, or
present an unwarranted risk of adverse impact on the
ability of other agencies to protect important records.
Questions concerning the Attorney General's memorandum may be directed to your servicing Office of General Counsel or Office of Regional Counsel.

Attachment

CC: Stephen A. Perry
Thurman M. Davis, Sr
Regional Counsels