



October 29, 2008

Melanie Ann Pustay, Director
Office of Information and Privacy
U.S. Department of Justice
Washington, DC 20530

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Santa Fe, NM

DOJ.OIP.FOIA@usdoj.gov

RE: Legal Services Corporation Reading Room Certification.

Dear Ms. Pustay:

Please accept this letter as certification from myself, as the Legal Services Corporation (LSC) Chief FOIA Officer, that LSC is in substantial compliance with the Reading Room requirements of FOIA.

LSC has reviewed both its physical Reading Room and electronic Reading Room on the internet at www.lsc.gov to determine whether they are in compliance with the legal requirements for FOIA Reading Rooms.

In reviewing our Reading Rooms, we found no material deficiencies, although we are looking into making additional materials available via www.lsc.gov and improving usability features. Overall both reading rooms are organized in a way that allows for efficient and easy location of specific documents.

LSC has a physical Reading Room located at its office at 3333 K Street, NW, Washington D.C. 20007. The Reading Room is located in the LSC Library, and any member of the public can access the Reading Room during normal business hours. The physical Reading Room includes a computer and a printer that can be used to access the electronic Reading Room. The physical Reading Room is staffed by LSC's Office of Information Management. Staff members are available to assist any member of the public with finding documents of interest in the Reading Room. Documents in the physical Reading Room are all organized in archival file boxes clearly labeled on bookshelves. Tables are available for reviewing documents in the physical Reading Room. The physical Reading Room contains many materials of interest to the general public including the LSC Act, LSC's annual appropriations, LSC's annual reports, LSC's bylaws, LSC Fact Books, LSC FOIA reports, LSC's Program Directory of grantees, and various materials relating to LSC's Board meetings.

LSC has an extensive web site including a FOIA section and FOIA Reading Room section. The electronic Reading Room includes the LSC FOIA guide, with information about the physical Reading Room. Other sections of www.lsc.gov have extensive information about LSC, LSC-funded activities, and LSC operations. The website

includes transcripts of LSC Board meetings going back to before year 2000 and board resolutions going back to the inception of LSC.

Here is a breakdown of LSC's compliance with the specific Reading Room requirements.

1. Final opinions and orders made in the adjudication of cases. LSC has no current relevant documents in this category. LSC does not have a system for adjudication of cases and thus does not issue those kinds of final opinions or orders. The LSC regulations provide for the termination and/or debarment of grantees, and those regulations provide for hearings before an appointed ad-hoc hearing officer who will render a written recommendation subject to the final decision of the LSC president. LSC has not held a termination or debarment hearing in over a decade though. LSC formerly had similar procedures for denials of refunding, but LSC grantees do not currently have refunding rights and as such any denial of refunding determinations have no current precedential value. Lastly, the LSC regulations provide for written appeals to the LSC President when LSC disallows costs charged the LSC grant. LSC has not had a full questioned cost appeal in over a decade, and often those appeals involve accounting matters rather than legal matters that would have precedential value. Were LSC to engage in such a process in the future, then LSC would review any final opinion or order to determine if it should be included in the Reading Rooms. All other LSC reviews and enforcement actions take place within the non-adjudicatory administrative process.
2. Specific agency policy statements. LSC has a longstanding practice of issuing policy statements through "Program Letters" and regulatory and statutory interpretations through "External Legal Opinions." These materials are all available via the physical Reading Room. LSC.gov contains a listing of all program letters with current applicability, and all external legal opinions dating back to November 1, 1996. Earlier legal opinions are available in the physical Reading Room.
3. Administrative staff manuals affecting the public. The online Reading Room and the LSC.gov website contain a collection of various LSC manuals affecting grantee operations including an Audit and Accounting Guide, CSR Handbook for data collection, LSC Performance Criteria, and an Access to Records Protocol. LSC also has extensive sub-domains at grants.lsc.gov and www.oig.lsc.gov, with additional information specific to grantee operations and compliance. LSC is currently reviewing other administrative manuals that primarily deal with internal operations and oversight to see if any portions of those should be available in the Reading Room.
4. Frequently requested records. The LSC FOIA officer identifies any documents that qualify as frequently requested records for posting in the electronic Reading Room. Currently no documents meet that definition. Nonetheless, numerous documents including FOIA reports, LSC annual reports, and other documents of general interest to the public are made available via the electronic Reading Room and LSC.gov.

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5. Indices. Both the physical and electronic Reading Rooms are organized in ways designed to assist the public in quickly finding available documents, including links to individual documents in the electronic Reading Room.

I hope that this certification meets the needs of the Office of Information Policy. Please contact me if you need any further information.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Victor M. Fortuno". The signature is stylized and somewhat cursive, with a prominent initial "V" and "F".

Victor M. Fortuno

Vice President & General Counsel