

American Mail

In American Mail Lines v Gulick, Case No. 22091, the Court of Appeals for the District of Columbia ruled that any use of what might otherwise be exempt under 5 U.S.C. 552 eliminated an right to withhold.

At issue was an ~~intra~~-agency memo. It was only referred to ~~by~~ the Government. It was not published, as was what is here sought. Yet the court held that merely by reference, "the memorandum lost its intra-agency status and became a public record, one which must be disclosed to appellants".

Moreover, the appeals court even ruled that "lack of need for it" could not be used to withhold this memorandum, what was sought in that action.