

B. *Department of Health, Education, and Welfare.*—The Department's internal operating procedures are not published; however, these do not constitute rules in the sense intended by 5 U.S.C. 1002.

C. *Agency for International Development.*

D. *Department of the Treasury:*

1. *Office of Director of Practice.*

2. *U.S. Secret Service.*

E. *American Battle Monuments Commission.*

F. *Atomic Energy Commission.*

G. *Federal Maritime Commission.*

H. *Federal Mediation and Conciliation Service.*

I. *Foreign Claims Settlement Commission of the United States.*

J. *Housing and Home Finance Agency.*

K. *National Labor Labor Relations Board.*

L. *National Mediation Board.*

M. *National Science Foundation.*

N. *U.S. Information Agency.*

O. *U.S. Tariff Commission.*

P. *Committee on Purchases of Blind Make Products.*

Q. *Federal Counsel for Science and Technology.*

R. *Federal Radiation Council.*

S. *Federal Trade Zones Board.*

T. *President's Committee on Equal Employment Opportunity.*

U. *President's Science Advisory Committee.*

V. *U.S. Commission on Civil Rights.*

W. *Office of Science and Technology.*

"Not applicable"

A. *Department of Commerce:*

1. *Office of Business Economics.*

2. *Community Relations Service.*

3. *Office of Management and Organization.*—*New York World's Fair.*

4. *Bureau of Public Roads.*

5. *Office of General Counsel.*

6. *National Bureau of Standards.*

7. *Weather Bureau.*

B. *Export-Import Bank of Washington.*

C. *Interagency Committee on Oceanography.*

D. *Migratory Bird Conservation Commission.*

E. *Missile Sites Labor Commission.*

F. *National Forest Reservation Commission.*

G. *National Park Trust Fund Board (National Park Service).*

H. *Corregidor-Bataan Memorial Commission.*

QUESTION 11

What is your agency's definition of "official record" as used in section 3(c) of the Administrative Procedure Act?

An analysis of the answers to this question indicates that there is no clear definition of the term "official record" in spite of the fact that a clear understanding of the types of material covered by restrictions on public access is basic to the operation of the statute. The majority of the agencies stated they have no definition of the term or that they use as a guide the text on page 24 of the Attorney General's Manual (1947) or they follow 44 U.S.C. 366. Neither of these sources defines "official record." The statute defines only the word "records," and the definition is by example. The Attorney General's Manual also lists some examples and states that "each agency must examine its functions and the substantive statutes under which it operates to determine which of its materials are to be treated as matters of official record."

Agencies which do not rely on these two weak definitions referred only to a Code of Federal Regulations citation. Some of the answers were so general that