

REPLIES TO QUESTIONNAIRE
EXECUTIVE OFFICE OF THE PRESIDENT

REPLY FROM THE BUREAU OF THE BUDGET

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D.C., March 19, 1965.

Hon. JOHN E. MOSS,
*Chairman, Foreign Operations and Government Information Subcommittee,
Committee on Government Operations, House of Representatives, Washing-
ton, D.C.*

DEAR MR. CHAIRMAN: This is in response to your letter of February 12, 1965, regarding the practices and procedures of the Bureau of the Budget under section 3 of the Administrative Procedure Act (5 U.S.C. 1002).

The activities of the Bureau of the Budget have never been regarded as falling within the scope of section 3 of the Administrative Procedure Act. Our activities do not directly affect the public, and they have always been considered to be covered by the exception in section 3 for matters relating solely to internal management.

Since the Bureau is not subject to the publication requirements of section 3 of the act, we have no relevant answers to the specific questions in your letter. However, a statement of the Bureau of the Budget's organization and functions is published in the U.S. Government Organization Manual, which is issued annually as a special edition of the Federal Register. This statement appears on page 55 of the 1964-65 edition of that publication.

Sincerely,

KERMIT GORDON, *Director.*

REPLY FROM OFFICE OF EMERGENCY PLANNING

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF EMERGENCY PLANNING,
Washington, D.C., March 17, 1965.

Hon. JOHN E. MOSS,
*Chairman, Foreign Operations and Government Information Subcommittee,
Committee on Government Operations, House of Representatives, Washing-
ton, D.C.*

DEAR MR. MOSS: In response to your request for data relative to Federal agency practice under the "public information section" of the Administrative Procedure Act of 1946 (5 U.S.C. 1002), I am pleased to submit the enclosed answers to the subcommittee's questionnaire, along with the requested documents.

Although the broad definition of "agency" in the Administrative Procedure Act of 1946 includes the Office of Emergency Planning the "public information section" of the act appears to be mainly applicable to those regulatory agencies having a direct involvement with the general public.

Nevertheless, you may be assured of my complete cooperation in your subcommittee's study of this important phase of Government agency operation. If additional information may be needed, it will be furnished promptly.

Sincerely,

BUFORD ELLINGTON, *Director.*