

the librarian in charge of the Legal Branch of the library of the Department, and to the hearing clerk.

All interpretations and statements of general policy formulated for the guidance of the public are published. A current index of legal opinions and legal memorandums of the Office of the General Counsel of the Department is maintained in the Legal Branch of the Department's library. The index indicates which opinions and memorandums are confidential. The confidential ones are available only to employees of the Department with the approval of the General Counsel. The nonconfidential opinions and memorandums are generally available only to employees of the Department. Nonconfidential opinions are internal memorandums generally dealing with specific factual situations and, therefore, are not available for general distribution. They are, however, made available on proper showing of interest and where it is determined it will not be susceptible of misinterpretation as to the general policy of the Department. They are not for quotation or reproduction in any case without permission.

A current list of statutes which place limitations upon the availability of records and files to the general public is set out in exhibit 1 to 1 AR 537 of the general departmental regulations concerning restrictions on the release of and requests for information (1 AR 505-585). Copies of these regulations and the exhibit are forwarded herewith.

In addition to the statutes noted in the foregoing exhibit, the following additional statutes place limitations upon the availability of records and files to the general public:

12 U.S.C. 1141j(d) which prohibits the inclusion in any governmental report, bulletin, or other such publication hereafter issued or published of any prediction with respect to cotton prices.

Public Law 88-525, 78 Stat. 703 (Food Stamp Act). Section 8(b) restricts the use of information received from retailers or wholesalers relating to business of such firms "to purposes directly connected with administration and enforcement of the provisions of (the) act or the regulations issued pursuant to (the) act." Section 10(e) requires State plans of operation to contain provisions which among other things, provide safeguards which restrict the use or disclosure of information obtained from applicant households to persons directly connected with the administration of the act or regulations issued pursuant to the act.

Title 50 App. U.S.C. 2155(e) (Defense Production Act of 1950). Section 705(e) provides that information obtained under section 705, concerning recordkeeping and furnishing of information and testimony in the enforcement or administration of the act, when deemed confidential by the President or person furnishing said information, shall not be disclosed or published unless the President determines that withholding the information is contrary to national defense.

18 U.S.C. 1905. This statute provides that any officer or employee of the United States who publishes or discloses, in a manner not authorized by law, any information coming to him in the course of his official duties or employment, which information concerns or relates (among other items) to trade secrets, processes, operations, style of work, or apparatus, or to the identity, and confidential statistical data, shall be fined or imprisoned and removed from office.

In addition, various agencies of the Department issue regulations or instructions implementing or supplementing the regulations and statutes noted above relating to the availability of records and files to the general public. Examples of such regulations and instructions are forwarded herewith and are separately listed in the attached schedule furnished in connection with our responsibility pursuant to your request for various documents on page 3 of your letter.

The answers to these two questions are addressed to "official records" as indicated in the answer to question No. 11.

8. Question. In what circumstances are private parties dealing with your agency required in any manner to resort to organization or procedure not published in the Federal Register (see sec. 3(a) of the Administrative Procedure Act)?

Answer. Private parties dealing with this Department are required to resort to organization or procedure not published in the Federal Register only insofar as there has not been time to modify the published organizational description or statement of functions and procedures to conform with changes made in the or-