

if of continuing applicability, are codified to titles 8 and 28 of the Code of Federal Regulations, revised annually.

*Explanation.*—Although part 50, chapter I of title 28 is entitled "Statements of Policy," all such statements are not collected in that part, but instead are generally codified to the part which pertains to the function or program involved. For example, see 28 CFR 42.1, setting forth the equal opportunity employment policy of the Department.

2(e). Question. In what official or unofficial publication, and at what intervals, does your agency publish rules addressed to and served upon named persons in accordance with law? (Sec. 3(a)(3).)

Answer. Apparently the question is inapplicable to the Justice Department. None of its organizational units issues such rules.

3. Question. Please describe the manner in which your agency publishes, or, in accordance with published rule, makes available to public inspection, all final and interim opinions or orders in the adjudication of cases, pursuant to section 3(b) of the Administrative Procedure Act or other authority.

Answer. Opinions and orders of the Board of Immigration Appeals and of the Immigration and Naturalization Service which are considered by those agencies to be of precedential significance are published in "Administrative Decisions on the Immigration and Nationality Laws of the United States" (now nine volumes), available for inspection in all field offices of the Service, available in most law libraries, and on sale at the Government Printing Office. Such decisions issued since printing of the most recent volume are referred to as "interim decisions" and are distributed to all persons on the mailing list of the Immigration and Naturalization Service, and are available to any other persons through all offices of the Service. All interim and final opinions and orders of the U.S. Board of Parole granting or denying certificates of exemption under section 504 of the Labor-Management Reporting and Disclosure Act of 1959, 73 Stat. 519, 29 U.S.C. 504, and 28 CFR 4.15 are available upon request to any member of the public from the Board of Parole. Other decisions of the Board of Parole are available only to the persons concerned. All opinions and orders, interim and final, of the Office of Alien Property are available for public inspection in the Office of Alien Property.

*Explanation.*—Section 3(b), by its terms, applies only to agencies which conduct cases of adjudication and prepare opinions or orders in their decision of those cases. In the Department of Justice, only the Immigration and Naturalization Service, the Board of Immigration Appeals, the U.S. Board of Parole, and the Office of Alien Property are such agencies. Although the Immigration and Naturalization Service makes in excess of 13,000 determinations each year in exclusion and expulsion cases under 8 U.S.C. 1101, 1225(b), 1226, and 1252(b), the great bulk of these decisions are routine and of no precedential significance and are of interest only to the individuals involved. The same is true of the approximately 1,200 decisions each year of the Board of Immigration Appeals. No purpose would be served by attempting to make all such decisions publicly available. Therefore, only those opinions and orders which may be useful to practitioners, aliens, and others interested in the immigration laws are publicly available. The U.S. Board of Parole annually conducts some 13,000 parole and revocation hearings under 18 U.S.C. 4203, 4207, 5014, 5020, and 5037. No opinions are prepared in these cases. The order in each case consists of a duplicated form, indicating only whether the application is granted or denied and is given only to the individual concerned. However, certain eligibility and status information on Federal prisoners and parolees is available in individual cases upon proper inquiry by a party in interest, as prescribed in 28 CFR 2.48.

4. Question. In what types of cases does your agency refrain from publishing interim and final opinions and orders where, in the opinion of your agency, good cause requires they be held confidential, pursuant to section 3(b) of the Administrative Procedure Act or other authority?

Answer. To the end that the objectives of sound parole administration may be advanced and that protection may be afforded to Federal prisoners and offenders released on parole, orders of the Board of Parole in parole and revocation cases are not published. However, information relating to such orders is disclosed in individual cases upon proper inquiry by a party in interest, pursuant to 28 CFR 2.48. Otherwise, no opinions or orders in the adjudication of cases by organizational units of the Department are withheld because the Department feels that they are required to held confidential for good cause, within the meaning of section 3(b) of the Administrative Procedure Act.