

12. Order No. 260-62, January 19, 1962 (subpena of information in Department files), 27 F.R. 774. (See 17 below.)
13. Order No. 271-62, May 29, 1962 (Department of Justice statement of organization), 27 F.R. 5162.
14. Order No. 288-62, October 18, 1962 (executive clemency), 27 F.R. 11002.
15. Order No. 291-62, December 13, 1962 (amendments to the Department's organization statements as it relates to the Antitrust Division), 27 F.R. 12617.
16. Order No. 308-63, December 12, 1963 (adding certain kinds of banks to those to which the FBI makes available fingerprint record information), 28 F.R. 13769.
17. Order No. 324-64, October 8, 1964 (superseding order No. 260-62 relating to the production of material in response to a subpena or other demand), 29 F.R. 14027.

REPLY FROM DEPARTMENT OF LABOR

U.S. DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 16, 1965.

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

DEAR MR. CHAIRMAN: In accordance with the request in your letter of February 12, 1965, we have prepared the attached material in response to the questions in your letter concerning the relationship of the programs within this Department's responsibility under the public information section of the Administrative Procedure Act.

If you need further information, we shall of course be happy to provide it.

Sincerely,

W. WILLARD WIRTZ,
Secretary of Labor.

MATERIAL RELATING TO CONGRESSMAN MOSS' LETTER OF FEBRUARY 12, 1965, FROM THE DEPARTMENT OF LABOR

By way of introduction, it is pointed out that the only exception to section 3 of the Administrative Procedure Act which affects the programs with which this Department is concerned is the one for "(2) any matter relating to the internal management of an agency."

Question 1. Generally, to what functions of your agency does 5 U.S.C. 1002 apply? Are there any divisions, bureaus, branches, or other constituent units of your agency to which the section does not apply?

Answer 1. Section 3 applies to all rules of the kind described in subsection (a) of that section which are issued by this Department to implement:

- (1) The Fair Labor Standards Act of 1938;
- (2) Federally administered acts affecting labor standards on public contracts;
- (3) Title XV of the Social Security Act;
- (4) Federally administered Workmen's Compensation Acts;
- (5) The Farm Labor Contractor Registration Act of 1963;
- (6) The Wagner-Peyser Act;
- (7) The Manpower Development and Training Act;
- (8) Title VI of the Civil Rights Act of 1964;
- (9) The Trade Expansion Act of 1962;
- (10) The Welfare and Pension Plans Disclosure Act;
- (11) The Labor-Management Reporting and Disclosure Act of 1959;
- (12) The Area Redevelopment Act; and
- (13) The Economic Opportunity Act of 1964.

Section 3 also applies to final opinions and orders in the adjudication of cases issued to implement the statutes referred to in (1) through (11) above. There are no activities affecting the public to which the section does not apply. Interpretations, standards, and policies issued for the guidance of State governments under the Social Security Act, and the Federal Unemployment Tax Act are not considered rules issued for the guidance of the public. They are, therefore, furnished directly to the appropriate State agencies and not otherwise published.