

tion companies at a disadvantage in meeting the competition of foreign communication companies.

Paragraphs (5) and (6) permit inspection of all documents filed in connection with applications under title II and III of the Communications Act and all documents filed in connection with rulemaking proceedings except when the Commission for good cause found under section 3(c) of the Administrative Procedure Act designates them as not for public inspection.

Paragraph (7) permits public inspection of all minutes of Commission actions, except for minutes of classified matters held confidential pursuant to section 4(j) of the Communications Act, and minutes of the executive agenda dealing with internal management, or other matters which the Commission holds confidential for good cause found pursuant to section 3 of the Administrative Procedure Act.

Paragraph (9) allows the public to inspect files relating to submarine cable landing licenses, except for maps showing the exact location of submarine cables, which maps are withheld from public inspection under section 4(j) of the Communications Act.

Also, subsections (b) (1), (2), and (3) provide that financial information filed by broadcasting stations, network and transcription contracts, information filed by equipment manufacturers and personnel files are not normally open to public inspection. Statutory authority for these provisions are 18 U.S.C. 1905 and 5 U.S.C. 631.

C. AGENCY PRACTICE

Other than the limitations placed upon the availability of records and files to the general public by statute or agency rule, the Commission has no practice preventing the disclosure of information to the general public.

8. 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 APA)?

We know of no circumstance in which private parties dealing with this Commission are required to resort to organization or procedure not published in the Federal Register.

9. In what types of cases has your agency refrained from publishing rules where there is involved any function of the United States requiring secrecy in the public interest, pursuant to section 3(1) of the APA or other authority?

We know of no instance in which the Commission has refrained from publishing rules under section 3(1) of the APA or other authority, on the basis that there is involved a function of the United States requiring secrecy in the public interest.

10. In what circumstances has your agency refrained from publishing rules where there is involved any matter relating solely to internal agency management, pursuant to section 3(2) of the APA or other authority?

Generally, administrative orders and interoffice communications affecting the internal administration of the Commission (e.g., personnel matters, handling of security information) are not published, although some are available for inspection in the Commission's minutes and those having general public interest (e.g., governing employees' conduct) have been made available for public inspection.

11. What is your agency's definition of "official record" as used in section 3(c) of the APA?

Because the Commission follows a policy of making its records generally available, with the exceptions and for the reasons stated in response to the above questions, it has not had occasion to formulate a definition of "official record" under section 3(c) of the APA.

Enclosed are two copies of parts 0 and 1 of the Commission's rules and regulations. We believe the rules contained therein implement fully 5 U.S.C. 1002. Also enclosed are copies of several informational bulletins which are designed to inform the general public as to how it may obtain information as to the Commission's activities.

This letter was adopted by the Commission on April 21, 1965.

By direction of the Commission,

E. WILLIAM HENRY, *Chairman.*