

ployees, or agents of the Corporation in the performance of their official duties (collectively referred to as "information" in this section) are confidential and privileged.

Disclosure of such confidential or privileged records by any officers, employees, or agents of the Corporation is prohibited except as provided in the regulations of the Corporation (sec. 309.1(b)(1)). The Chief of any Division of the Corporation may furnish any records or information in his custody, other than records enumerated (1), (2), (3) and (4) above and information acquired in reference thereto, to any State or Federal governmental agency for its official use, and to any other person with a substantial interest therein where the release or disclosure to such person is not detrimental or prejudicial to the bank or person from whom the records or information was obtained or received nor contrary to public interest (sec. 309.1(b)(1)(i)).

The Chief of the Division of Examination may furnish to any bank copies of any reports of examination or investigation of such bank and other information pertaining to its affairs with the understanding that such records or information shall under no circumstances be made public in any manner (sec. 309.1(b)(1)(ii)). The Chief of the Division of Examination may also furnish to the Comptroller of the Currency, to any Federal Reserve bank and to any commission, board, or authority having supervision of a State bank which is not a member of the Federal Reserve System and in certain circumstances to the successor agency of the Reconstruction Finance Corporation, copies of reports of examination and other information pertaining to insured banks which are not members of the Federal Reserve System for use in the exercise of their official duties with the understanding that reports of examination or information shall under no circumstances be disclosed or made public in any manner (sec. 309.1(b)(1)(iii)). The Chief of the Division of Examination may also furnish to any official of the Department of Justice or any State prosecuting authority any information regarding defalcations, burglaries, or robberies affecting insured banks when there is urgent need for immediate action (sec. 309.1(b)(1)(iv)).

The Chief of the Division of Research and Statistics may furnish to the Comptroller of the Currency, to any Federal Reserve bank and to any commission, board, or authority having supervision of a State bank which is not a member of the Federal Reserve System copies of reports of condition made by insured banks with the understanding that the contents of such reports shall under no circumstances be made public except in the publication of general statistical reports (sec. 309.1(b)(1)(v)).

The General Counsel of the Corporation may disclose to the proper Federal or State prosecuting authorities any and all records and information relating to irregularities discovered in open and closed insured banks believed to constitute violations of any Federal or State statute (sec. 309.1(b)(1)(vi)). The General Counsel may also authorize the production of any record, the disclosure of any information and the giving of any testimony with respect thereto by any officer, employee, or agent of the Corporation upon any proceeding, hearing, or trial, civil or criminal, in any Federal or State court or before any administrative board, commission, or committee, on behalf of or at the request of the Corporation, the United States, or State prosecuting official or the bank or person from whom such confidential or privileged records or information was received or obtained (sec. 309.1(b)(1)(vii)).

The Chairman of the Board of Directors may authorize the production, examination, or inspection of any records or the furnishing of copies thereof or the disclosure of any information or may direct the General Counsel or the Chief of any division to refuse to permit the production, examination, or inspection of any records, or this furnishing of copies thereof or the disclosure of any information if he shall find such action to be in the best interest of the Corporation and consistent with the public interest (sec. 309.1(e)). The Board of Directors or the Chairman thereof may from time to time authorize and direct the publication for public distribution of information and data compiled from the records of the Corporation (sec. 309.1(f)).

Question 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?

None.

Question 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?