et seq.) and Title IV of the National Housing Act (12 U.S.C. 1724 et seq.) not excepted by section 1002. Specific functions of the Board to which section 3 of the APA would be applicable would be in connection with the chartering and regulation of Federal savings and loan associations and, through the Federal Savings and Loan Insurance Corporation, the regulation of certain aspects of the operations of institutions insured by the Corporation. The 12 Federal Home Loan Banks are, as you know, subject to the jursidiction of the Board. The Board establishes policies, issues regulations, and supervises the operations of these Banks and, in connection therewith, is subject to the requirements of the Administrative Procedure Act. The APA, however, is inapplicable to the Banks in their dealings with their member institutions.

2. With respect to question 2, subdivision (*a*) through (*d*), the Board utilizes the Federal Register and, in addition, publishes a manual and pamphlet copies of its rules and regulations for distribution to interested persons. The pamphlets, copies of which are attached, are freely distributed. The manual is issued on a registered basis and a copy has previously been furnished the committee. The most recent description of the central and field organization of the Board (APA § 3(a)(1)) was adopted by the Board on September 23, 1964 and published in the Federal Register on October 1, 1964 (29 F.R. 13544). Statements of the general course and method by which the Board's functions are channeled and determined (APA § 3(a)(2)) appear in the Board's General Regulations (12 CFR, Pt. 501 et seq.), the regulations for the Federal Home Loan System (12 CFR, Pt. 521 et seq.), the Rules and Regulations for the Federal Savings and Loan System (12 CFR, Pt. 541 et seq.), and the Rules and Regulations for Insurance of Accounts (12 CFR Pt. 561 et seq.).

With respect to subdivisions (*c*) and (*d*) of question 2, the substantive rules and statements of general policy or interpretation adopted by the Board are published in the Federal Register promptly upon adoption by the Board. Both regulations and Board rulings are, of course, incorporated in the pamphlets and the manual hereinabove referred to. Insofar as subdivision e, is concerned, I know of no instance in which the Board has adopted rules addressed to and served upon named persons. Further, section 3 of the Administrative Procedure Act does not require the publication of any such rules.

3. The Board does not publish final opinions or orders in the adjudication of cases. However, section 505.13 of the General Regulations of the Board (12 CFR, 505.13) provides for public inspection of all final opinions or orders in the adjudication of cases at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue, NW., Washington, D.C. 20552.

4. Section 505.14 of the Board's General Regulations (12 CFR 505.14) permits the classification of interim and final opinions and orders as confidential only by the Baord or its designee. As hereinabove indicated, interim and final orders are not published but, in accordance with Administrative Procedure Act § 3(b), are made available for public inspection. The instances in which the Board has classified final opinions or orders as confidential have generally been limited to cases where the Board has not held a hearing or other public proceeding prior to the issuance of its order. Thus, if a Federal association applies for a branch office and for supervisory reasons relating to the condition or affairs of the institution the application is denied, the order would be treated as confidential.

5. Question 5 relates to the circumstances under which unpublished opinions and orders are cited or used as precedents in other proceedings. The Board does not cite or use as precedents unpublished opinions or orders of the Board in other proceedings.

6. and 7. Question 6 deals with the procedure for making available to the general public the records and files, interpretations and legal opinions of the agency. Question 7 is concerned with the limitations placed upon the availability of records and files to the general public. Insofar as interpretations and legal opinions are concerned, they are customarily made available on request and, if of general applicability, they are always made available. Limitations are placed upon the availability of records and files to the general public both by statute and by regulation. As you are aware, section 1905, title 18, U.S. Code, provides as follows:

> Whoever, being an officer or employee of the United States or of any department or agency thereof, publishes, divulges, discloses, or makes known in any manner or to any extent not authorized by law any information coming to him in the course of his employment or official duties or by reason of any