

priority purchasers are required by law to be available for public inspection at the AEC office in the community (42 U.S.C. 2324).

In the case of Oak Ridge, a general statement of policy governing the sales disposal was contained in a leaflet of May 11, 1956, "Information for Prospective Purchasers of Government-Owned Single-Family and Duplex Houses and Residential Lots in Oak Ridge, Tenn." Notice of the availability of this informational pamphlet was given through news items in the Oak Ridge newspaper well in advance of the commencement of the sales program. The newspaper advised its readers that copies of the pamphlet were available to anyone upon request at the community disposition office. In addition, the general conditions for the sale of the properties were carried verbatim in the newspaper and a number of copies of these conditions were posted in public places wherever a general offering was made of a particular block of properties.

9. In no case has this agency refrained from publishing a rule on the ground that there was involved any function of the United States requiring secrecy in the public interest.

10. Although the agency has no rulemaking powers as that term is defined by 5 U.S.C. 1003 (see question 2c., supra), there are a number of internal agency policies which have general applicability and future effect. These include such matters as travel and leave policies, budget controls, stenographic procedures, personnel standards, and priorities in correspondence. Most of these policies for the OA, CFA, and URA are set forth in the OA manual series, Volume II: Policies and Procedures of the Administrator, Part 3. The other constituent agencies describe their internal policies by means of similar issuances. A copy of volume II of our manual series will be made available to your subcommittee on request.

11. In defining the term "official record" this agency relies generally on the interpretation in the Attorney General's Manual on the Administrative Procedure Act (Department of Justice, 1947) 24, 25. The definition which PHA has adopted is typical of the general agency policy:

* * * documents which embody the official acts of the PHA and the documents which are filed with the PHA pursuant to statute, PHA regulations, or contract with the PHA, as determined by the Chief of the Records Administration Section, Office Services Branch. It does not include memorandums and other reports which reflect research and analysis preliminary to official action or which are otherwise merely part of the background upon which official action is predicated (24 CFR 1500.1(a)(2)).

For example, in the CFA, the entire project file, consisting of the loan or grant application, supporting documentation, project summary, loan or grant agreement, and the entire bond or mortgage transcript would be considered as "official records."

REPLY FROM INDIAN CLAIMS COMMISSION

INDIAN CLAIMS COMMISSION,
Washington, D.C., February 18, 1965.

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

DEAR CHAIRMAN MOSS: This will acknowledge receipt of your letter of February 12, regarding your study of the Administrative Procedure Act and listing a number of questions on the public information section of that act.

I have gone over the questions presented and am convinced that this regulation has very little, if any, application to this Commission. Our work is entirely judicial since the Commission is an Indian court which hears the claims of tribes, bands, or identifiable groups of Indians against the U.S. Government for land taken without compensation.

We do not issue regular reports or publications, but our findings of fact and opinions are sent to all interested parties and are available to the public if they call at the office. We have no secret or confidential opinions and we have no field offices, so no publications are issued for this Commission from any source outside of Washington, D.C.

Under the circumstances I do not believe a more detailed answer to your questions is necessary, but if you need more information than I have given, I will be glad to try to supply it.

Sincerely,

ARTHUR V. WATKINS, Chief Commissioner.