

tion of the central and field organization and the Commission's organization minutes which are published in the Federal Register. In addition, the Commission's General Rules of Practice and other rules which relate to specific subject matter, such as the filing of tariffs are also published in the Code of Federal Regulations in title 49. In both cases amendments are published from time to time when promulgated.

(c) Substantive rules adopted as authorized by law (see sec. 3(a)(3) of statute).

Answer. Substantive rules which are adopted by the Commission are published in the Federal Register and the Code of Federal Regulations. In addition to the foregoing, the Commission's published decisions resulting from its public proceedings in some instances may contain findings which will have a general impact upon a segment of the carriers subject to regulation by the Commission. An example of this would be the interpretation of a motor carrier operating authority which may have general effect upon other motor carriers possessing similar operating rights. However, it should be noted that all of these decisions are served on interested parties to the proceedings and copies are available upon request to anyone else. Amendments to substantive rules are published when promulgated.

(d) Statements of general policy or interpretations formulated and adopted by the agency for the guidance of the public (see sec. 3(a)(3) of statute).

Answer. See answers to 2(b) and 2(c) above.

(e) Rules addressed to and served upon named persons in accordance with law (see sec. 3(a)(3) of statute).

Answer. Rules which are addressed to and served upon named persons, depending upon their importance and general effect upon transportation, may be included in the printed volumes of the Commission which now amount to over 400 volumes.

Question 3. Please describe the manner in which your agency publishes, or, in accordance with published rule, makes available to public inspection, all final and interim opinions or orders in the adjudication of cases, pursuant to section 3(b) of the Administrative Procedure Act or other authority.

Answer. Final and interim opinions and orders of the Commission are served upon the parties to a proceeding as required by sections 14(2) and 16(5) of the Interstate Commerce Act 49 U.S.C. sections 14(2) and 16(5) and comparable provisions under parts II, III, and IV of the Interstate Commerce Act. Service is made either personally or by mail pursuant to the provisions of section 16(5) of the Interstate Commerce Act 49 U.S.C. section 16(5) and section 6(2) of the Mann-Elkins Act 49 U.S.C. section 50. Copies of all final and interim opinions of the Commission are made available to the public for inspection at the office of the secretary of the Commission at the time of service upon the parties to a proceeding. Copies of these opinions are furnished the public on request. In addition, final and interim opinions and orders become a part of the official dockets of the Commission which are always available for public inspection. Final and interim reports and orders are made available to the public as set forth in section 2 of the Description of the Central and Field Organization of the Interstate Commerce Commission which is published in the Federal Register.

Question 4. In what types of cases does your agency refrain from publishing interim and final opinions or orders where, in the opinion of your agency, good cause requires they be held confidential, pursuant to section 3(b) of the Administrative Procedure Act or other authority?

Answer. All Commission final and interim reports and orders are published (although not necessarily in bound volumes of I.C.C. reports) except in those very rare instances, particularly in wartime when the national security requires secrecy. An example of this was the extension of a line of railroad into Oak Ridge, Tenn., during World War II.

Question 5. In what circumstances are unpublished opinions and orders cited or used as precedents in other proceedings?

Answer. No unpublished opinions and orders are cited or used as precedents in other proceedings. Because of the enormous number of opinions issued annually by the Commission not all opinions are printed in full in the bound volumes. The latter consist of opinions which have no general impact upon transportation and for that reason would not be cited as precedents. However, copies of all of these opinions whether or not printed in full in the bound volumes are available to the public upon request.