

(d) Statements of general policy and interpretations formulated and adopted by the agency for the guidance of the public;

(e) "Show cause" orders and other regulatory proceedings concerning small business investment companies licensed by the agency;

(f) Disaster declarations for financial assistance purposes under section 7(b) of the Small Business Act; and

(g) Exemptions from the antitrust laws provided for joint actions by small business concerns under sections 7(a)(6), 9(d), and 11 of the act.

Another important publication is SBA's annual report to the President and the Congress. This contains much data concerning agency programs, activities, and actions, as well as information on SBA's financial and administrative matters.

Agency actions providing financial assistance, and small business investment company licenses granted, are generally announced by means of press releases issued by SBA's Office of Public Information. Major policy determinations also are sometimes publicized by this means (and in speeches by agency officials) as well as by formal promulgation in the Federal Register. SBA also publicizes in appropriate localities, pursuant to Public Law 88-273, certain data relating to so-called conflict of interest transactions affecting small business investment company licensees.

INFORMATION MADE AVAILABLE

Except for matters involving solely internal agency management, current SBA rulings, directives, and interpretations (such as those contained in agency manuals, handbooks, or opinions) which are not published, are made available upon request to interested persons. This data is generally available both in Washington, D.C., and at SBA field offices throughout the country. With respect to small business investment company matters, the agency issues to all such licensees and to other interested persons who request it, a "guide" which contains pertinent SBA rules, interpretations of broad applicability, and policy and procedural information.

SBA's Office of Public Information maintains constant contact with members of the daily and business press corps, trade associations, chambers of commerce and similar groups in order to keep them informed of the agency's programs and objectives; issues news releases and reports on SBA programs and operations; and answers questions from the press on Agency activities. The Office also prepares and distributes fact sheets and leaflets on SBA programs, and informational materials to be issued locally by field offices of the agency.

Information is also available concerning particular SBA actions such as size determinations (whether a firm is a "small business" for purposes of SBA legislation), and procurement and technical assistance provided. Additionally, in circumstances set forth in agency manual SBA-100, chapter XVII (copy enclosed), banks and other financially interested persons may obtain certain data from SBA about firms receiving loans from the agency.

INFORMATION NOT MADE AVAILABLE

SBA does not make its records and files generally available to the public. The bases and necessity for this limitation are set forth in the attached agency regulations and manual provision concerning disclosure of information.

Neither does SBA disclose identifying information concerning applicants for assistance when such assistance was not granted by the agency. It is believed that such disclosure could injure the reputation of the affected firm.

Copies are enclosed herewith of part 102 and part 105 (sec. 105.6) of SBA regulations, and of chapter XVII of the SBA-100 manual.

I hope this information will be of assistance to the subcommittee. If any further data is needed, please contact Mr. Philip F. Zeidman, our General Counsel.

Sincerely,

EUGENE P. FOLEY, *Administrator.*

(NOTE.—Reference material in subcommittee files.)