

In carrying out its functions of demolition and construction of site improvements, the Agency is subject to the formal advertising procedures imposed on all Federal agencies by R.S. 3700. Professional consultant services may, of course, be obtained without competitive bidding.

Sincerely,

PHIL A. DOYLE, *Executive Director.*

REPLY FROM FEDERAL RADIATION COUNCIL

FEDERAL RADIATION COUNCIL,
Washington, D.C., March 12, 1965.

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

DEAR MR. CHAIRMAN: I am pleased to transmit to you the following information requested in your letter of February 12 pertaining to the application of section 3 of the Administrative Procedure Act of 1946 (5 U.S.C. 1002).

The following general information is provided as background to assist your staff in interpreting our answers to your questions.

The Federal Radiation Council was established by Executive Order 10831 and made statutory by Public Law 86-373, section 274h. The purpose of the Council is to advise the President with respect to radiation matters, directly or indirectly affecting health, including guidance for all Federal agencies in the formulation of radiation standards and in the establishment and execution of programs of cooperation with States. Its membership consists of the Secretaries of Health, Education, and Welfare (present chairman); Agriculture; Commerce; Defense; and Labor; and the Chairman of the Atomic Energy Commission.

The Council staff consists of two professional personnel and two secretarial personnel. It is hired directly by the Council under its own budget. The positions are all civilian career appointment.

The Council issues two kinds of reports. One contains recommendations for the guidance of Federal agencies in the planning and implementation of their radiation protection activities. When approved by the President, these are published in the Federal Register. The other contains technical analyses but no recommendations. When approved by the President, these are published directly and are available through the Superintendent of Documents.

Your questions and our answers are as follows:

1. Generally, to what functions of your agency does 5 U.S.C. 1002 apply? Are there any divisions, bureaus, branches, or other constituent units of your agency to which the section does not apply?

Answer. Section 3 of the Administrative Procedure Act of 1946 (5 U.S.C. 1002) applies to those reports of the Federal Radiation Council which have been approved by the President. The Council has no subordinate divisions, bureaus, or branches.

2. In what official or unofficial publication, and at what intervals, does your agency publish:

(a) Descriptions of its central and field organization (see section 3(a)(1) of the Administrative Procedure Act);

(b) Statements of the general course and method by which its functions are channeled and determined (see section 3(a)(2) of statute);

(c) Substantive rules adopted as authorized by law (see sections 3(a)(3) of statute);

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

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

Answer 2. (a) As an advisory body to the President, the organization of the Federal Radiation Council is published in the U.S. Government Organization Manual. It has not been published in the Federal Register. The council has no field organization.

(b) Reports of the Council containing recommendations for consideration by the President are submitted in the form of a memorandum for the President. When approved by the President, the memorandum is published in the Federal Register. The background material supporting the recommendations is pub-