

these sections provide broad recommendations concerning the services of Government agencies at the State and local levels. The 10th section recommends objectives concerning organized citizen support of State and local public officials with action program responsibilities.

All technical matters concerning the application of the action program are referred to one or more of the 36 national organizations that comprise the Advisory Council which was organized by the Committee as authorized under section 2(c) of the Executive Order 10858. A copy of the policy statement to guide the Advisory Council is enclosed.

The Committee's activities are intended to develop a better understanding of the action program and to stimulate broader activity by the public and private groups concerned with the application of the action program recommendations.

Therefore, the President's Committee functions as an educational public support organization, not as a body that renders judgments, opinions or decisions concerning the technical application of the action program by private organizations or governmental agencies.

Inasmuch as the purpose and activities of the President's Committee center around the action program, copies of this program are available to the public through the Government Printing Office (copies enclosed). Also, the Committee distributes thousands of copies of the action program annually to individuals and organizations—both public and private. A recent report to the President on the action program has been distributed widely to both private and public groups within the limitation of available funds (copy enclosed).

Pursuant to title 23-313 of the United States Code the Secretary of Commerce is directed to assist in carrying out the action program of the President and to cooperate with the highway departments and other agencies in this program to advance the cause of safety.

I sincerely trust that I have answered your inquiry fully. If there is any further information you require, please don't hesitate to contact me directly, phone code 112, extension 3557.

Sincerely yours,

WM. S. FOULIS,
Executive Director.

REPLY FROM PRESIDENT'S COUNCIL ON AGING

PRESIDENT'S COUNCIL ON AGING,
Washington, D.C., March 15, 1965.

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

DEAR SIR: In reply to your letter of February 12, we can report that 5 U.S.C. 1002 does not apply to the President's Council on Aging.

Sincerely yours,

WARREN T. ROUDEBUSH,
Staff Director.

REPLY FROM PRESIDENT'S COUNCIL ON PHYSICAL FITNESS

PRESIDENT'S COUNCIL ON PHYSICAL FITNESS,
Washington, D.C., February 19, 1965.

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

DEAR MR. MOSS: In reference to your letter of February 12, it is our opinion that section 3 of the Administrative Procedure Act of 1946 (title 5 U.S.C. 1002) is not applicable to the President's Council on Physical Fitness. Our opinion is based on the fact that the Council does not engage in the adjudication of cases, disbursement of Federal moneys, rulesmaking or any matters "requiring secrecy in the public interest."

In the event that we might have misunderstood your request I will describe briefly the structure and operation of the Council.

The Council proper consists of seven Cabinet officers and the Administrator of the Housing and Home Finance Agency. The Council has a full-time staff of 12,