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UNITED STATES GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548

Cassidy
SSA

OFFICE OF GENERAL COUNSEL

IN REPLY
REFER TO:

B-173761

January 4, 1979

Mr. Henry J. Sauer
Manufacturing Chemists Association
1825 Connecticut Avenue, N.W.
Washington, D.C.

JAN 4 1979

[Request For Access To GAO Written Reports of Interviews]
Dear Mr. Sauer:

This replies to your September 12, 1978, request for access to General Accounting Office documents relating to our report entitled, "The Federal Government Should Establish and Meet Energy Conservation Goals," EMD-78-38, issued on June 30, 1978. Specifically, you requested copies of:

"Written reports of interviews conducted with the Manufacturing Chemists Association and/or the following member companies: Union Carbide Corporation, Allied Chemical Corporation, Pfizer Incorporated, E. I. du Pont de Nemours & Co., and the Dow Chemical Company;" and

"Written reports of interviews conducted with the American Iron and Steel Institute, the Motor Vehicle Manufacturers Association, and the Portland Cement Association."

Based upon our review of the requested documents, we conclude that the interview records are exempt from disclosure under section 81.6(a)(5) of our access to records regulations, copy enclosed. This exemption specifically includes "* * * internal drafts, workpapers, memorandums between officials or agencies, opinions and interpretations prepared by agency staff * * *." Moreover, we point out that, at the time the information was obtained, it was agreed that individual and company positions would not be identified on the issues discussed. Disclosing the interview documents at this time would be a breach of that pledge. We also point out that records containing "* * * information submitted by any person to the Government in confidence or where the Government has obligated itself not to disclose information it received * * *" is exempted from disclosure by our regulations. (See 4 C.F.R. §81.6(a)(4).) In view of the foregoing we must deny your request. However, we would consider release of the

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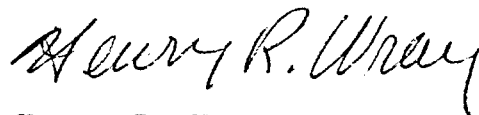
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interview documents for those firms in the chemical industry in which you have an expressed interest if those persons and companies first gave their consent to such disclosure.

In accordance with 4 C.F.R. §81.4, you are advised that further consideration of your request may be obtained by an appeal letter to the Comptroller General of the United States setting forth the basis for your belief that the denial of your request is unwarranted.

Sincerely yours,

A handwritten signature in cursive script that reads "Henry R. Wray". The signature is written in dark ink and is positioned above the printed name and title.

Henry R. Wray
Assistant General Counsel

Enclosure