

recipients' governing bodies that are additional to, or more restrictive than, the provisions of section 1007(c) of the LSC Act. Although the LSC Board voted to accept several of the proposed revisions, they were never published as final, in part due to the fact that each subsequent appropriations act has included the restrictive proviso.

The consistent use of this restriction in LSC's appropriations acts demonstrates a congressional intent that LSC not impose requirements on recipient governing bodies that are additional to, or more restrictive than, the provisions of section 1007(c) of the LSC Act. Therefore, the Corporation is requesting comment on its proposal to withdraw the proposed revisions to the rule. For the revisions as proposed, see 52 FR 38,900 (Oct. 19, 1987).

Dated: July 24, 1992.

Victor M. Fortuno,
General Counsel.

[FR Doc. 92-17998 Filed 7-29-92; 8:45 am]

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45 CFR Part 1609

Fee-Generating Cases

AGENCY: Legal Services Corporation.

ACTION: Proposed Rule; Withdrawal.

SUMMARY: This document proposes to withdraw proposed amendments to 45 CFR part 1609, which governs acceptance of fee-generating cases by the Legal Services Corporation's recipients, to reflect congressional intent that LSC grantees not be subject to any amendments to part 1609 that were not in operational effect on October 1, 1988.

DATES: Comments must be received by August 31, 1992.

ADDRESSES: Office of the General Counsel, Legal Services Corporation, 750 First St., NE., Washington, DC 20002-4250.

FOR FURTHER INFORMATION CONTACT: Victor M. Fortuno, General Counsel, Legal Services Corporation, (202) 336-8810.

SUPPLEMENTARY INFORMATION: The Legal Services Corporation ("LSC" or "Corporation") published at 52 FR 50982 (Dec. 19, 1988) proposed amendments to 45 CFR part 1609, LSC's regulation governing LSC recipients' acceptance of fee-generating cases. The Committee on Operations and Regulations ("Committee") of LSC's Board of Directors ("Board") heard public comment on the proposed regulation on January 20, 1989, at its meeting in Raleigh, North Carolina. At that time, the committee voted to recommend to

the Board a revised version of Part 1609. On January 27, 1989, in Washington, DC, the Board considered the committee recommendation but deferred action on it until the next Board meeting, which was held on March 3, 1989, in Atlanta, Georgia. At the March meeting, the Board voted to accept the committee recommendation with amendments.

The revisions, however, were never published as final, largely due to a congressional prohibition against their implementation that first appeared in LSC's FY 1990 appropriations act, Pub. L. 101-162, 103 Stat. 1036-37 (1989). This prohibition, which has been retained in all subsequent appropriations acts covering LSC, provides that LSC grants and contracts "shall not be subject to any amendments to regulations relating to fee-generating cases (45 CFR part 1609) * * * not in operational effect on October 1, 1988." See Pub. L. 102-140, 105 Stat. 824 (1991), incorporating, Pub. L. 101-515, 104 Stat. 2153 (1990).

The consistent use of this restriction in LSC's appropriations acts since FY 1990 demonstrates a congressional intent that LSC not implement the proposed revisions. Therefore, the Corporation is requesting public comment on its proposal to withdraw the proposed revisions to the rule. For the proposed revisions, see 52 FR 50982 (Dec. 19, 1988).

Dated: July 24, 1992.

Victor M. Fortuno,
General Counsel.

[FR Doc. 92-17999 Filed 7-29-92; 8:45 am]

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45 CFR Parts 1610 and 1611

Use of Funds From Sources Other Than the Corporation; Eligibility

AGENCY: Legal Services Corporation.

ACTION: Proposed Rules; Withdrawal.

SUMMARY: This document proposes to withdraw proposed amendments to 45 CFR Parts 1610 and 1611 which govern Legal Services Corporation recipients' use of non-LSC funds and set guidelines for eligibility for LSC-funded legal assistance. This proposal is intended to reflect congressional intent that LSC grantees not be subject to any amendments to parts 1610 and 1611 that were not in operational effect on October 1, 1988.

DATES: Comments must be received by August 31, 1992.

ADDRESSES: Office of the General Counsel, Legal Services Corporation, 750 First St. NE., Washington DC 20002-4250.

FOR FURTHER INFORMATION CONTACT: Victor M. Fortuno, General Counsel, Legal Services Corporation, (202) 336-8810.

SUPPLEMENTARY INFORMATION: On January 3, 1989, the Legal Services Corporation ("LSC" or "Corporation") published proposed revisions to 45 CFR part 1610 on use of non-LSC funds, 54 FR 46 (Jan. 3, 1989); and to 45 CFR Part 1611 on eligibility, 54 FR 48 (Jan. 3, 1989). A total of 88 comments were received and considered. The LSC Board of Directors' ("Board") Committee on Operations and Regulations ("Committee") heard public comment on the proposed regulations at its meeting in Atlanta, Georgia, on March 2, 1989. The Committee voted to defer further consideration of the proposed revisions until its next meeting, which was held in Alexandria, Virginia, on April 13, 1989. At that meeting, the Committee voted to recommend the proposed revisions with amendments to the LSC Board. On April 14, 1989, the Board voted to accept the committee recommendations with amendments.

The amendments were never published as final, largely due to a congressional prohibition against their implementation that first appeared in LSC's Fiscal Year 1990 appropriations act, Pub. L. 101-162, 103 Stat. 1036-37 (1989). This prohibition, which has been retained in all subsequent appropriations acts for LSC, provides that LSC grants and contracts "shall not be subject to any amendments to regulations relating to * * * the use of private funds (45 CFR parts 1610 and 1611) * * * not in operational effect on October 1, 1988." See Pub. L. 102-140, 105 Stat. 824 (1991), incorporating Pub. L. 101-515, 104 Stat. 2153 (1990).

The consistent use of this restriction in LSC's appropriations acts since FY 1990 demonstrates a congressional intent that LSC grants or contracts not be subject to the proposed regulations. Therefore, the Corporation is requesting comment on its proposal to withdraw the proposed revisions to the rule. Revisions to part 1610 as proposed are at 54 FR 46 (Jan. 3, 1989). Revisions to Part 1611 as proposed are at 54 FR 48 (Jan. 3, 1989).

Dated: July 24, 1992.

Victor M. Fortuno,
General Counsel.

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