

be seen at the above offices during business hours, Monday through Friday.

Comments will be considered by the Board at its next meeting thereafter. These proposed temporary rules and regulations, as they may be amended by the Board after consideration of such comments, and published in the Federal Register in final form prior to September 13, 1975, shall become effective as such on October 13, 1975.

These proposed rules and regulations here noticed and published are temporary. Final rules and regulations will be proposed by notice and publication by the Corporation as soon as practicable.

**SECTION 1. Purpose and Scope.** The purpose of these temporary regulations is to implement and enforce provisions of §§ 1006(b)(5), 1007(a)(5), and 1011 of the Act. Unless otherwise indicated, they shall apply to the Corporation, its employees, its recipients, and the employees of its recipients. Nothing contained herein shall affect the application of the other provisions of the Act, including the rights, duties and restrictions contained therein, to the Corporation, its directors, officers and employees, and to the recipients, and the employees and staff attorneys of the recipients, as of October 13, 1975.

**SEC. 2. Definitions.** As used in these regulations, the term—

(A) "Act" means The Legal Services Corporation Act of 1974, Pub. L. 93-355, 88 Stat. 373, 42 U.S.C. §§ 2996-2996f, §§ 2971e, 2968b note;

(B) "Board" means the Board of Directors of the Legal Services Corporation established under the Act;

(C) "Corporation" means the Legal Services Corporation established under the Act;

(D) "eligible client" means any person financially unable to afford legal assistance;

(E) "legal assistance" means the provision of any legal services consistent with the purposes and provisions of the Act;

(F) "recipient" means any grantee, contractee, or recipient of financial assistance described in clause (A) of § 1006(a)(1) of the Act; and

(G) "staff attorney" means an attorney who receives more than one-half of his annual professional income from a recipient organized solely for the provision of legal assistance to eligible clients under the Act.

**SEC. 3. Picketing, Boycotts, Strikes, Illegal Activities.** (A) No employee of the Corporation or of any recipient (except as permitted by law in connection with such employee's own employment situation), while carrying out legal assistance activities under the Act shall engage in, or encourage others to engage in, any public demonstration or picketing, boycott, or strike.

(B) No such employee shall, at any time, engage in, or encourage others to engage in, any of the following activities:

(1) any rioting or civil disturbance;

(2) any activity which is in violation of an outstanding injunction of any court of competent jurisdiction;

(3) any other illegal activity; or

(4) any intentional identification of the Corporation or any recipient with any political activity prohibited by § 1007(a)(6) of the Act; *provided, however*, that nothing in this section shall be interpreted to mean that the prohibition against "encouraging" precludes legal advice and representation for an eligible client with respect to such client's legal rights and responsibilities.

**SEC. 4. Legislative and Administrative Representation.** No funds made available to recipients by the Corporation shall be used at any time, directly or indirectly, to influence the issuance, amendment, or revocation of any executive order or similar promulgation by any Federal, State, or local agency, or to undertake to influence the passage or defeat of any legislation by the Congress of the United States, or by any State or local legislative bodies, except where—

(A) representation by an attorney as an attorney for any eligible client is necessary to the provision of legal advice and representation with respect to such client's legal rights and responsibilities (which shall not be construed to permit a recipient or an attorney to solicit a client for the purpose of making such representation possible, or to solicit a group with respect to matters of general concern to a broad class of persons as distinguished from acting on behalf of any particular client); or

(B) a governmental agency, a legislative body, a committee, or a member thereof requests personnel of any recipient to make representations thereto.

**SEC. 5. Enforcement.** The Corporation shall have authority, in accordance with procedures set forth at 45 C.F.R. § 1067.1-4(b) (relating to suspension) or 45 C.F.R. §§ 1067.1-5 through 1067.1-11 (relating to terminations):

(A) to suspend or terminate the employment of any employee of the Corporation who violates the provisions of Section 3 hereof; and

(B) to suspend or terminate financial assistance to any recipient which fails to prohibit activities proscribed by the Act or by Sections 3 and 4 hereof;

*provided that*, no suspension of employment or financial assistance shall be continued for longer than 30 days unless the employee of the Corporation or recipient is provided notice and an opportunity for a hearing in accordance with the procedures set forth in 45 C.F.R. § 1067.1-5 through 1067.1-11; and

*provided further*, that the term "OEO" in the above-referenced regulations shall mean the Corporation and the term "responsible OEO official" shall mean the President of the Corporation, or, if no President is in office, the Chairman of the Board, or his designee.

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## LEGAL SERVICES CORPORATION ORGANIZATION AND FUNCTIONS

The Legal Services Corporation was established pursuant to the Legal Services Corporation Act of 1974, Pub. L. 93-355, 88 Stat. 378, 42 U.S.C. §§ 2996-2996f, §§ 2971e, 2996b note ("the Act"). The Corporation's Board of Directors, which was confirmed by the Senate on July 9, 1975, held its first meeting on July 14, 1975. Section 1006(b)(5) of the Act requires the Corporation to issue certain rules and regulations within 90 days of its first Board meeting. Accordingly, pursuant to §§ 1006(b)(5), 1011 and 1008 (e) of the Act, the Corporation hereby notices and publishes for comment the following proposed temporary rules and regulations.

Public comment will be received by the Corporation at its temporary office, Room 413, 1725 K Street N.W., Washington, D.C. for 30 days from the date of this publication. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may