



OFFICE OF LEGAL AFFAIRS

THIS MEMORANDUM SUPERCEDES
THE APRIL 12, 2007 STAFF REPORT
MEMO ON THIS SUBJECT

MEMORANDUM

TO: Operations & Regulations Committee

THROUGH: Helaine M. Barnett *HMB*
President

FROM: Victor M. Fortuno *VMF*
Vice President & General Counsel

DATE: April 25, 2007

SUBJECT: Staff Report on 2007 Rulemaking Agenda

Introduction

The Operations & Regulations Committee asked Management for recommendations on

what regulations, if any, the Committee should consider reviewing for revision in 2007. This Staff Report responds to that request. In addition, this Report provides Management's comments

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New Regulation on "Lesser Sanctions" - Imposition of Special Grant Conditions During the Grant Year

Management has a variety of enforcement mechanisms available to ensure compliance. Among these are: the imposition of Corrective Action Plans, temporary suspension of funding, questioned cost proceedings, and termination (in whole or part) of a recipient's grant (any of which may be imposed during a grant year); placing recipients on month-to-month funding (which may be done only at the outset of a grant term); and imposing special grant conditions (which may be done at the outset of a grant term or throughout the term of a grant year).

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being used to support their activity. Accordingly, having to record that information would become burdensome. In addition, since timekeeping records are required to be maintained on a contemporaneous basis, such a requirement would force recipients to maintain records

contemporaneous basis. This would restrict the flexibility recipients currently have to use their various funding sources in the most advantageous way possible during their fiscal year.

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New Regulation on "Lesson Scenarios" Authorizing Issuance of United States ...

Management believes the OIG's suggested rulemaking to authorize limited reductions in funding is unnecessary. As noted above, however, Management is recommending its own

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well. Further, they oppose the regulatory changes proposed by the OIG. While Management concurs that regulatory changes are generally unnecessary, it is the view of Management that a rulemaking to adopt a “lesser sanctions” regulation allowing the imposition of special grant conditions during a grant year is the exception.

LASH Comments

LASH suggests that LSC engage in rulemaking to change the provision of Part 1626, Restrictions on Legal Assistance to Aliens, which limits eligibility of citizens of the Federated

