credit intermediary is the obligor, the transaction should be identified with the project where the project is located or the goods are destined.

(1) United States. "United States" shall mean the states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Canal Zone, Guam, Midway Island, U.S. Virgin Islands, and Wake Island.

(2) Foreign country designations. Country designations other than the "United States" shall be consistent with the standardized names and codes contained in the Military Assistance and Sales Manual (MASM).

(3) Official Multinational Organization. For reporting purposes, "Official Multinational Organization" shall mean any international or regional organization (or affiliated agency thereof) created by treaty or convention between sovereign states.

(4) Dollar equivalents of foreign currency. Represents dollar equivalent of all foreign currency amounts disbursed, outstanding, undisbursed balances, and arrearages of principal and interest. They shall be computed at the reporting rate prescribed by Treasury Department Circular No. 930 for balances as of the end of the reporting period. The dollar equivalents of all other reportable amounts shall be the summation of individual transactions computed at the reporting rate prescribed for the period in which the transactions occurred.

(5) Foreign indebtedness. "Foreign indebtedness" means financial obligations owed to the U.S. Government by the following entities in connection with DoD activities:

(1) Any individual, including a citizen of the United States (excluding U.S. military members and U.S. Government employees) domiciled outside the United States.

(2) Any partnership, association, corporation, or other organization created or organized under the laws of a foreign country, excepting branches or agencies thereof located in the United States.

(3) Any branch, subsidiary, or allied organization within a foreign country of a partnership, association, corporation, or other organization created or organized under the laws of a foreign country or the United States.

(4) Any government of a foreign country, if payment cannot be demanded or proceed from the proceeds of sale. When a narrative program design is required, commonly used terms should be used, e.g., Arms Export Control Act, Logistic Support, and Military Assistance Advisory Groups.

(5) Short-term loans and credits. "Short-term loans and credits" include any indebtedness which the original payment terms provided for payment within a period from 90 days to and including 1 year after delivery or performance.

1 Time conventions. The terms 30, 60 and 90 days should be interpreted to mean 1, 2, and 3 calendar months, respectively. That is, the period February 6 through May 5 would be considered to be 90 days. For example, in calculating amounts "due and unpaid" 90 days after March 31 as of December 31 the amounts due before October 1 and remaining unpaid as of December 31 would be reportable. However, amounts due as of October 1 but remaining unpaid at December 31 would not be reportable.

[FR Doc. 78-7144 Filed 3-16-78; 8:45 am]

1622-35
Title 45—Public Welfare
CHAPTER XVI—LEGAL SERVICES CORPORATION
PART 1622—PUBLIC ACCESS TO MEETINGS UNDER THE GOVERNMENT IN THE SUNSHINE ACT
AGENCY: Legal Services Corporation.
ACTION: Final Regulation.
SUMMARY: The Government in the Sunshine Act, 5 U.S.C. Section 522b, requires certain agencies of the United States to hold open meetings, subject to prescribed exceptions, when agency members jointly dispose of its business. Although the Legal Services Corporation is not a federal agency, Section 1004(g) of the Legal Services Corporation Act applies the Sunshine Act's provisions to the Corporation and the state advisory councils appointed pursuant to Section 1004(f) of the Act. This Part was published previously for notice and comment. 43 FR 1807 (January 12, 1978). No major comments were received. The Corporation is, therefore, republishing Part 1622 to become effective 30 days hereafter.
ADDRESS: Legal Services Corporation, 733 15th Street, NW., Suite 700, Washington, D.C. 20005.
FOR FURTHER INFORMATION CONTACT:
Stephen S. Walters, 202-376-5113.
45 CFR Chapter XVI is amended by adding a new Part 1622, reading as follows:

Sec. 1622.1 Purpose and scope.
1622.2 Definitions.
1622.3 Open meetings.
1622.4 Public announcement of meetings.
1622.5 Grounds on which meetings may be closed or information withheld.
1622.6 Procedures for closing discussion or withholding information.

FEDERAL REGISTER, VOL. 43, NO. 53—FRIDAY, MARCH 17, 1978
§ 1622.2 Definitions.

“Board” means the Board of Directors of the Legal Services Corporation.

“Committee” means any formally designated subdivision of the Board established pursuant to § 1601.26 of the By-Laws of the Corporation.

“Council” means a state Advisory Council appointed by a state Governor or the Board pursuant to Section 104(c) of the Legal Services Corporation Act of 1974, 42 U.S.C. § 2996c(f).

“Member” means a voting member of the Board or of a Council, with respect to proceedings of the Board, committee members with respect to proceedings of their committees, and council members with respect to proceedings of their councils.

“Meetings” means the deliberations of a quorum of the Board, or of any committee, or of a council, with respect to proceedings of the Board, committee members with respect to proceedings of their committees, or council members with respect to proceedings of their councils.

“Quorum” means the number of Board or committee members authorized to conduct Corporation business pursuant to the Corporation’s By-laws, or the number of council members authorized to conduct its business.

“General Counsel” means the General Counsel of the Corporation, or a person designated by the General Counsel, or a member designated by a council to act as its legal officer.

§ 1623. Open meetings.

Every meeting of the Board, a committee, or a council shall be open in its entirety to public observation except as otherwise provided in § 1622.5.

§ 1622.4 Public announcement of meetings.

(a) Public announcement shall be made of every meeting. The announcement shall include: (1) the time, place, and subject matter to be discussed; (2) whether the meeting or a portion thereof is to be open or closed to public observation; and (3) the name and telephone number of the official designated by the Board, committee, or council to respond to requests for information about the meeting.

(b) The announcement shall be made at least seven calendar days before the meeting, unless a majority of the members determines by a recorded vote that Corporation business requires a meeting on fewer than seven days notice. In the event that such a determination is made, public announcement shall be made at the earliest practicable time.

(c) Each public announcement shall be posted at the offices of the Corporation in an area to which the public has access, and promptly submitted to the Federal Register for publication. Reasonable effort shall be made to communicate the announcement of a Board or committee meeting to the chairman of each council and each recipient of funds from the Corporation, and of a council meeting to each recipient within the same state.

(d) An amended announcement shall be issued of any change in the information provided by a public announcement. Such changes shall be made in the following manner:

(1) The time or place of a meeting may be changed without a recorded vote.

(2) The subject matter of a meeting, or a decision to open or close a meeting or a portion thereof, may be changed by reconsideration of a majority of the members that Corporation business so requires and that no earlier announcement of the change was possible.

An amended public announcement shall be made at the earliest practicable time and in the manner specified by § 1622.4(a) and (c).

§ 1622.5 Grounds on which meetings may be closed or information withheld.

Except when the Board, committee, or council finds that the public interest requires otherwise, a meeting or a portion thereof may be closed to public observation, and information pertaining to such meeting or portion thereof may be withheld, if the Board, committee, or council determines that such meeting or portion thereof, or disclosure of such information, will more probably than not:

(a) Relate solely to the internal personnel rules and practices of the Corporation;

(b) Disclose matters specifically exempted from disclosure by statute (other than the Freedom of Information Act, 5 U.S.C. § 552); Provided, That such statute (i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (ii) establishes particular types of matters to be withheld;

(c) Disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(d) Involve accusing any person of a crime, or formally censuring any person;

(e) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(f) Disclose investigatory records compiled for the purpose of enforcing the Act or any other law, or information necessary or useful in law enforcement proceedings, (i) to deprive a person of a right to a fair trial or an impartial adjudication, (ii) to constitute an unwarranted invasion of personal privacy, (iii) to disclose the identity of a confidential source, (iv) to disclose investigative techniques and procedures, or (v) to endanger the life or physical safety of law enforcement personnel.

(g) Disclose information the premature disclosure of which would be likely significantly to frustrate implementation of a proposed Corporation action, except that this subparagraph shall not apply in any instance where the Corporation has already disclosed to the public the content or nature of its proposed action, or where the Corporation is required by law to make such disclosure on its own initiative prior to taking final action on such proposal or plan.

(h) Specifically concern Corporation participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition by the Corporation of a particular case involving a determination on the record after an opportunity for a hearing.

§ 1622.6 Procedures for closing discussion or withholding information.

(a) No meeting or portion of a meeting shall be held to public observation, and no information about a meeting shall be withheld from the public, except by a recorded vote of a majority of the members with respect to each meeting or portion thereof proposed to be closed to the public, or with respect to any information that is proposed to be withheld.

(b) In any matter of which is to be closed to public observation, and any information that is to be
RULES AND REGULATIONS

§ 1622.6 Action by the Corporation.

(a) The Corporation shall make a complete transcript, or electronic recording, adequate to record fully the proceedings of each meeting or portion thereof closed to the public, except that in the case of a meeting or any portion thereof closed to the public pursuant to paragraph (h) of § 1622.5, a transcript, a recording, or a set of minutes shall be made. Any such minutes shall describe all matters discussed and shall provide a summary of any actions taken and the reasons therefor, including a description of each member's views expressed on any item and the record of each member's vote on the question. All documents considered in connection with any action shall be identified in the minutes.

(b) A complete copy of the transcript, recording, or minutes required by § 1622.6(a) shall be maintained at the Corporation for a Board or committee meeting, and at the appropriate Regional Office for a council meeting, for a period of two years after the meeting.

(c) The Corporation shall make available to the public all portions of the transcript, recording, or minutes required by § 1622.6(a) that do not contain information that may be withheld under § 1622.5. A copy of those portions of the transcript, recording, or minutes that are available to the public shall be furnished to any person upon request at the actual cost of duplication or transcription.

(d) Copies of Corporation records other than notices or records prepared under this Part may be pursued in accordance with Part 1602 of these regulations.

§ 1622.9 Report to Congress.

The Corporation shall report to the Congress annually regarding its compliance with the requirements of the Government in the Sunshine Act, 5 U.S.C. § 552b, including a tabulation of the number of meetings open to the public, the number of meetings or portions of meetings closed to the public, the reasons for closing such meetings or portions thereof, and a description of any litigation brought against the Corporation under § 5 U.S.C. § 552b, including any costs assessed against the Corporation in such litigation.

THOMAS EHLICH,
President,
Legal Services Corporation.

[FR Doc. 78-7127 Filed 3-16-78; 8:45 am]