

Dated: December 15, 1980.
William J. Driver,
Commissioner of Social Security.

Approved: December 23, 1980.
Patricia Roberts Harris,
Secretary of Health and Human Services.

Chapter II of Title 45 of the Code of Federal Regulations is amended as set forth below:

Section 233.20 is amended by adding a new paragraph (a)(3)(xi) to read as follows:

§ 233.20 Need and amount of assistance.

(a) Requirements for State Plans.

(3) Income and resources: OAA, AFDC, AB, APTD, AABD.

(xi) Provide that in determining eligibility for an assistance payment or the amount of the payment, any benefits received by applicants and recipients under a housing program administered by the Department of Housing and Urban Development pursuant to the U.S. Housing Act of 1937, as amended, the National Housing Act, section 101 of the Housing and Urban Development Act of 1965, or title V of the Housing Act of 1949, will be considered by the State agency in a uniform manner regardless of whether the benefits are provided in the form of vendor, in-kind, or direct cash payments, to assure that applicants and recipients are not denied the benefits of those payments solely because of the manner or form in which they are calculated or paid.

(FR Doc. 80-40621 Filed 12-30-80; 8:45 am)
BILLING CODE 4110-07-02

LEGAL SERVICES CORPORATION

45 CFR Part 1612

Restrictions on Certain Activities

AGENCY: Legal Services Corporation.
ACTION: Proposed amendment.

SUMMARY: Section 1007(a)(5)(A) of the Legal Services Corporation Act, 42 U.S.C. 2996f, requires the Corporation to ensure that funds awarded to recipients are not used for legislative advocacy unless such advocacy is a necessary part of the representation of an eligible client, at the request of a legislative body, or in connection with a measure which directly affects the activities of the recipient or the Corporation under the provisions of the Act. On July 28, 1978, the Corporation promulgated Part 1612, § 1612.4 in order to implement the limitations of the Act. After some experience with these provisions, it has

become necessary to impose new requirements in order to ensure the day-to-day observance of these limitations by recipients.

DATES: Comments must be received on or before January 30, 1981.

ADDRESS: Legal Services Corporation, 733 15th Street NW., Suite 700, Washington, D.C. 20005.

FOR FURTHER INFORMATION CONTACT: Linda Hanten, 202-272-4010.

SUPPLEMENTARY INFORMATION: These proposed requirements are part of an overall effort to ensure that all recipient legislative advocacy is conducted in compliance with the congressionally imposed restrictions. In addition to promulgating these regulatory changes, the Corporation is focusing on monitoring and training to ensure that recipients are aware of and understand congressional limitations on legislative advocacy. Further, a formal complaint procedure is being initiated so that complaints of impermissible legislative advocacy will be resolved in a consistent and timely manner.

The first proposed addition to Part 1612, § 1612.4(b), will require recipients to implement a system under which appropriate documentation will be secured before any legislative advocacy is undertaken by an employee. If legislative advocacy is to be undertaken on behalf of an eligible client, the recipient will secure an agreement in writing or other appropriate documentation specifically authorizing such representation. Similarly, if the recipient has been requested by a member or a committee of the legislature to engage in legislative advocacy, the request must be appropriately documented. Finally, if legislative advocacy is undertaken because of possible legislation directly affecting the activities of a recipient, the executive or program director will authorize the initiation of such advocacy in writing. Recipients will further be required to notify their staff of this system of prior authorization for legislative advocacy and to insure that it is complied with.

A second proposed addition to § 1612.4, § 1612.4(c) will prohibit programs from establishing legislative offices until the recipient's board of directors, primarily composed of attorneys, approves such an action consistent with the program's priorities, the attorneys' professional responsibility and as an economical and efficient approach to meeting clients' needs for legislative representation.

Finally, because of the proposed amendments, it will be necessary to

re designate current § 1612.4(b) as § 1612.4(d).

The proposed amendments are as follows:

Section 1612.4 is amended by redesignating paragraph (b) as (d) and adding new paragraphs (b) and (c) to read as follows:

§ 1612.4 (Amended)

(b) Recipients shall adopt appropriate procedures and forms to document that the legislative activities in which they engage fall within the activities permitted in § 1612.4(a).

(c) Recipients may not establish full time legislative offices unless the decision to establish such an office is formally made by the Board of Directors of the recipient consistent with the provisions of Section 1620, provided that the legislative activities of these offices are solely activities permitted under § 1612.4(a).

Mario Lewis,
General Counsel, Legal Services Corporation.
(FR Doc. 80-40670 Filed 12-30-80; 8:45 am)
BILLING CODE 8320-36-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 12

Seizure and Forfeiture Procedures: Posting of Notices of Proposed Forfeiture

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Proposed rule.

SUMMARY: The Service proposes to revise § 12.23 of 50 CFR Part 12, entitled "Administrative forfeiture proceedings". The revision would raise the monetary value of seized property which may be the subject of notice by posting from \$250 to \$1000. In addition, present regulations requiring posting in both the Service's enforcement office and the United States District Court would be revised to allow posting in either location as well as in the United States Customhouse. The revisions reflect the increasing value of seized property as well as of alternative forms of publication, and, in some instances, the impracticability of posting in United States District Courts.

DATES: Comments from the public must be received on or before January 30, 1981.

ADDRESSES: Comments may be mailed to the Director [LE], Fish and Wildlife