

Enforcement Fairness Act of 1996, the Agency has submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of this rule in today's **Federal Register**. This is not a "major rule" as defined by 5 U.S.C. 804(2).

List of Subjects

40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

40 CFR Part 185

Environmental protection, Food additives, Pesticides and pests.

40 CFR Part 186

Environmental protection, Animal feeds, Pesticides and pests.

Dated: August 18, 1997.

James Jones,

Acting Director, Registration Division, Office of Pesticide Programs.

Therefore, 40 CFR chapter I, parts 180, 185, and 186 is amended as follows:

PART 180—[AMENDED]

1. In part 180:

a. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 346a and 371.

b. In § 180.205, the table in paragraph (b) is amended by ordering alphabetically the existing entries, and by adding alphabetically entries for "peas, (dry)," and "mustard, seed," to read as follows:

§ 180.205 Paraquat; tolerances for residues.

*	*	*	*	*
(b) *	*	*	*	*

Commodity	Parts per million	Expiration/Revocation Date
Peas (dry)	0.3	November 15, 1998
Mustard, seed	5.0	November 15, 1998
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PART 185—[AMENDED]

2. In part 185:

a. The authority citation for part 185 continues to read as follows:

Authority: 21 U.S.C. 346a and 348.

§ 185.4700 [Removed]

b. Section 185.4700 is removed.

PART 186—[AMENDED]

3. In part 186:

a. The authority citation for part 186 continues to read as follows:

Authority: 21 U.S.C. 346a and 348.

§ 186.4700 [Removed]

b. Section 186.4700 is removed.

[FR Doc. 97-23094 Filed 8-28-97; 8:45 am]

BILLING CODE 6560-50-F

LEGAL SERVICES CORPORATION

45 CFR Part 1602

Procedures for Disclosure of Information Under the Freedom of Information Act

AGENCY: Legal Services Corporation.

ACTION: Final rule.

SUMMARY: This final rule makes technical revisions to the Legal Services Corporation's ("Corporation" or "LSC")

rule concerning the disclosure of information under the Freedom of Information Act by revising the Corporation's address and deleting outdated references to regional offices. Other minor technical revisions are also made.

EFFECTIVE DATE: This final rule is effective on August 29, 1997.

FOR FURTHER INFORMATION CONTACT: Office of the General Counsel, (202) 336-8817.

SUPPLEMENTARY INFORMATION: Pursuant to the Freedom of Information Act, the Corporation is required to publish current information in the **Federal Register** that provides guidance to the public regarding how to obtain information about and from the Corporation. See 5 U.S.C. 552. The Corporation's Operations and Regulations Committee ("Committee") of the Corporation's Board of Directors ("Board") met on July 13, 1997, in Los Angeles, California, and voted to recommend technical changes to the rule so that it would conform to this FOIA requirement. On July 14, 1997, the changes were recommended to the Board, which adopted the revisions and directed that they be published as final with an effective date on the date of publication.

This final rule makes several technical revisions to the Corporation's FOIA regulation to correct inaccurate and misleading information, so that the

Corporation is in compliance with the FOIA. The corrections include changing the Corporation's address to reflect its current location and deleting references to regional offices that no longer exist. Related stylistic and grammatical changes are also made. None of the changes are substantive, and therefore the changes do not require a public notice and comment period. The revisions are effective on the date of publication.

List of Subjects in 45 CFR Part 1602

Grant programs, Legal services.

For the reasons set forth in the preamble, LSC amends 45 CFR part 1602 to read as follows:

PART 1602—PROCEDURES FOR DISCLOSURE OF INFORMATION UNDER THE FREEDOM OF INFORMATION ACT

1. The authority citation for part 1602 is revised to read as follows:

Authority: 5 U.S.C. 552 and 42 U.S.C. 2996d(g).

2. Section 1602.4 is revised to read as follows:

§ 1602.4 Index of records.

The Corporation will maintain a current index identifying any matter within the scope of § 1602.5(b) (1) through (3) which has been issued, adopted, or promulgated by the Corporation, and other information

published or made publicly available. The index will be maintained and made available for public inspection and copying at the Corporation's office in Washington, DC. The Corporation will provide a copy of the index on request, at a cost not to exceed the direct cost of duplication.

3. Section 1602.5 is amended by revising paragraph (a) to read as follows:

§ 1602.5 Central records room.

(a) The Corporation will maintain a central records room at its office at 750 First Street, NE, 11th Floor, Washington, DC 20002-4250. This room will be supervised by a Records Officer, and will be open during regular business hours of the Corporation for the convenience of members of the public in inspecting and copying records made available pursuant to this part. Certain records, described in paragraph (b) of this section, will be regularly maintained in or in close proximity to the records room, to facilitate access thereto by any member of the public.

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4. Section 1602.7 is amended by revising the heading and paragraph (b) to read as follows:

§ 1602.7 Use of records room.

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(b) The records room will also be available to any member of the public to inspect and copy records which are not regularly maintained in such room. To obtain such records a person should present his or her request identifying the records to the Records Officer. Because it will sometimes be impossible to produce these records or copies of them on short notice, a person who wishes to use records room facilities to inspect or copy such records is advised to arrange a time in advance, by telephone or letter request made to the Records Officer. Persons submitting requests by telephone will be advised by the Records Officer or another designated employee whether a written request would be advisable to aid in the identification and expeditious processing of the records sought. Persons submitting written requests should identify the records sought in the manner provided in § 1602.8(b) and should indicate whether they wish to use the records room facilities on a specific date. The Records Officer will endeavor to advise the requesting party as promptly as possible if, for any reason, it may not be possible to make the records sought available on the date requested.

5. Section 1602.8 is amended by revising paragraphs (a) and (b) (4) and (5) to read as follows:

§ 1602.8 Availability of records on request.

(a) In addition to the records made available through the records room, the Corporation will make such records available to any person in accordance with paragraphs (b) and (c) of this section, unless it is determined that such records should be withheld and are exempt from mandatory disclosure under the FOIA and § 1602.9 of these regulations.

(b) *Requests.* * * *

(4) All requests for records under this section shall be made in writing, with the envelope and the letter clearly marked "Freedom of Information Request." All such requests shall be addressed to the Records Officer at the address given in § 1602.5(a). Any request not marked and addressed as specified in this paragraph will be so marked by Corporation personnel as soon as it is properly identified, and forwarded immediately to the Records Officer. A request improperly addressed will not be deemed to have been received for purposes of the time period set forth in paragraph (c) of this section until forwarding has been effected. On receipt of an improperly addressed request, the Records Officer shall notify the requesting party of the date on which the time period commenced to run.

(5) A person desiring to secure copies of records by mail should write to the Records Officer at the address given in § 1602.5(a). The request must identify the records of which copies are sought in accordance with the requirements of this paragraph, and should indicate the number of copies desired. Fees may be required to be paid in advance in accordance with § 1602.13. The requesting party will be advised of the estimated fee, if any, as promptly as possible. If a waiver of fees is requested, the grounds for such request should be included in the letter.

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5. Section 1602.12(a) is revised to read as follows:

§ 1602.12 Appeals of denial.

(a) Any person whose written request has been denied is entitled to appeal the denial within ninety days by writing to the President of the Corporation at the address given in § 1602.5(a). The envelope and letter should be clearly marked "Freedom of Information Appeal." An appeal need not be in any particular form, but should adequately identify the denial, if possible, by describing the requested record, identifying the official who issued the denial, and providing the date on which the denial was issued.

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Dated: August 25, 1997.

Victor M. Fortuno,
General Counsel.

[FR Doc. 97-23040 Filed 8-28-97; 8:45 am]

BILLING CODE 7050-01-P

LEGAL SERVICES CORPORATION

45 CFR Part 1626

Restrictions on Legal Assistance to Aliens

AGENCY: Legal Services Corporation.

ACTION: Final rule.

SUMMARY: This final rule revises the Legal Services Corporation's ("Corporation" or "LSC") rule on legal representation of aliens. The revisions to this rule are intended to implement a statutory provision included in the Corporation's FY 1997 appropriations act, which permits the use of a recipient's non-LSC funds for legal assistance to otherwise ineligible aliens who are the victims of domestic abuse.

DATES: The final rule is effective on September 29, 1997.

FOR FURTHER INFORMATION CONTACT: Office of the General Counsel, (202) 336-8817.

SUPPLEMENTARY INFORMATION: Section 504(a)(11) of the LSC appropriations act for Fiscal Year ("FY") 1996, Pub. L. 104-134, 110 Stat. 1321 (1996), prohibits the Corporation from providing funding to any person or entity ("recipient") that provides legal assistance to ineligible aliens. Subsequent to the publication of an interim rule to implement this restriction, Congress passed the Corporation's 1997 appropriations act, Pub. L. 104-208, 110 Stat. 3009 (1996). That legislation amended the § 504(a)(11) restriction in the FY 1996 appropriations act to permit recipients to use non-LSC funds to serve indigent aliens who are victims of domestic abuse on matters directly related to the abuse (hereinafter referred to as the "Kennedy Amendment"). The Kennedy Amendment became effective on October 1, 1996, during the comment period for the interim rule. A number of comments urged incorporation of the Kennedy Amendment into the final regulations, even though the interim rule understandably made no mention of the Kennedy Amendment because the rule was published before enactment of the Amendment. While the few comments the Corporation received made suggestions on how to include the Amendment into the rule, the general public was not provided notice of the Amendment. Accordingly, on April 21,