

LEGAL SERVICES CORPORATION

OPERATIONS AND REGULATIONS COMMITTEE

February 22, 1993

8:15 a.m.

**The Doubletree Suites Hotel
320 North 44th Street
Ballroom Salons I & II
Phoenix, Arizona**

Diversified Reporting Services, Inc.

918 16TH STREET, N.W. SUITE 803

WASHINGTON, D.C. 20006

(202) 296-2929

COMMITTEE MEMBERS PRESENT:

Norman D. Shumway, Acting Chairman
Howard H. Dana, Jr.
Jo Betts Love

BOARD MEMBERS PRESENT

J. Blakeley Hall
William L. Kirk
George W. Wittgraf

STAFF PRESENT

John O'Hara, President
Emilia DiSanto, Acting Vice President
Patricia Battie, Secretary
Ken Boehm, Counsel to the Board
Victor Fortuno, General Counsel
Suzanne Glasow, Office of the General Counsel
David Richardson, Comptroller and Treasurer

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P R O C E E D I N G S

(8:15 a.m.)

CHAIRMAN SHUMWAY: We are beginning the meeting of the Operations and Regulations Committee meeting. Those who are present this morning for our committee meeting are Howard Dana, Jo Betts Love, myself, Norman Shumway. We have other board members in the room -- Bud Kirk is here, George Wittgraf is present, and we may be joined by others.

The first item on our agenda this morning is the approval of the agenda, which is laid out for us. Is there a motion to approve?

M O T I O N

MR. DANA: So moved.

MS. LOVE: Second.

CHAIRMAN SHUMWAY: It's moved by Mr. Dana, seconded by Ms. Love.

Those in favor say aye.

(A chorus of ayes.)

CHAIRMAN SHUMWAY: Those opposed, no.

(No response.)

CHAIRMAN SHUMWAY: The agenda is approved.

The second item on the agenda is approval of the

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1 minutes of this committee of December 7, 1993. Have the
2 committee members had a chance to review the minutes?

3 (No response.)

4 CHAIRMAN SHUMWAY: Any discussion about them?

5 (No response.)

6 CHAIRMAN SHUMWAY: If not, is there a motion to
7 approve them?

8 M O T I O N

9 MR. DANA: So moved.

10 MS. LOVE: Second.

11 CHAIRMAN SHUMWAY: Moved and seconded by the same
12 two committee members. Those in favor say aye.

13 (A chorus of ayes.)

14 CHAIRMAN SHUMWAY: Those opposed, no.

15 (No response.)

16 CHAIRMAN SHUMWAY: The motion carries and the
17 minutes are approved.

18 We then move on to Item 3, which is consideration
19 of amendments to Section 1610 and 1611 of the Corporation's
20 regulations. For that purpose we will recognize our counsel,
21 Suzanne Glasow.

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PRESENTATION BY SUZANNE GLASOW

1
2 MS. GLASOW: Good morning. My name is Suzanne
3 Glasow, I work in the general counsel's office at Legal
4 Services Corporation.

5 This morning I believe the preliminary point on the
6 regulations Parts 1610 and 11 -- the Board asked this
7 committee to reconsider Parts 1610 and 11 to determine
8 exactly where the issue is procedurally. And at the December
9 7, 1992 meeting in Florida this committee voted in favor of a
10 motion to withdraw proposed revisions to Parts 1610 and 11.

11 Upon its consideration of the same motion, the
12 Board defeated the motion because of a concern about the
13 effect passages of the revision would have on the
14 Corporation's abortion policy.

15 Subsequent to that we have provided the Board a
16 memorandum that basically states that the proposed withdrawal
17 of the proposed changes to Parts 1610 and 11 would have no
18 effect on the Corporation's abortion policy, and therefore
19 this committee may wish to reconsider the issue, or they
20 could just leave it for the Board to reconsider.

21 But because the only concerns seemed to be the
22 effect the proposed change would have on the abortion policy,

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1 that concern has been alleviated. So this committee may, if
2 it wishes, vote to adopt the proposed withdrawal for changes
3 to Parts 1610 and 11, or they could just pass the information
4 along to the full Board and let that motion be made at the
5 Board level.

6 MR. DANA: Mr. Chairman.

7 CHAIRMAN SHUMWAY: Mr. Dana.

8 M O T I O N

9 MR. DANA: Mr. Chairman, in view of the fact that I
10 think the only concern expressed by the Board was that their
11 fear that 1610 and 11 had some impact on our abortion policy,
12 and since we've been advised by counsel that it doesn't, I
13 would move that we urge the Board to withdraw proposed
14 revision to 45CFR, Parts 1610 and 1611 that were published in
15 the Federal Register on January 3, 1989.

16 CHAIRMAN SHUMWAY: Mr. Dana has moved. Is there a
17 second to the motion? Did I hear a second?

18 MS. LOVE: Second.

19 CHAIRMAN SHUMWAY: It has been seconded. Is there
20 discussion?

21 MR. KIRK: Would you repeat the motion? I'm sorry,
22 I didn't hear it.

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1 MR. DANA: The motion is to withdraw proposed
2 revisions to 45CFR, Parts 1610 and 1611, that were published
3 in the Federal Register on January 3, 1989.

4 CHAIRMAN SHUMWAY: Yes, Mr. Kirk.

5 MR. KIRK: What is that going to be? I mean, I
6 understand we'll recommend that that be done. Isn't that
7 what we voted on in Florida?

8 MR. DANA: Yes. I think what happened -- and
9 Suzanne, come to my rescue if I get too far out on a limb --
10 either the committee or the full Board was concerned when
11 this matter came up that 1610 and 1611, the proposed
12 withdrawal of -- I think 1610 and 1611 were proposed for
13 revision in 1989. Congress suspended the effectiveness of it
14 and left those suspensions in place.

15 In order to deal with that it was proposed that we
16 withdraw these proposed regulations.

17 MS. GLASOW: Correct.

18 MR. DANA: Some members of this Board were
19 concerned that we were backing away from a hostility to -- or
20 that we were backing away from our long-held anti-abortion
21 policy by this revision.

22 So, it was either tabled or failed or something,

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1 and --

2 MS. GLASOW: At the committee level. The committee
3 did adopt the proposal to withdraw and the Board defeated
4 that motion, or that recommendation. So this committee can
5 basically reinstate their concern that they would like to
6 adopt the proposed withdrawal and go back to the Board and
7 say, "Because the abortion concern has been alleviated we
8 would like you to reconsider your vote. We're still staying,
9 basically, with our vote to withdraw the proposed revisions."

10 MR. DANA: I guess this committee has proposed that
11 this be done once before. It was defeated because of a
12 concern that turns out to be not accurate. And so, having
13 been so advised, I'm really making the motion again and
14 urging this committee to urge the Board to withdraw these
15 tentative revisions.

16 CHAIRMAN SHUMWAY: Mr. Kirk.

17 MR. KIRK: Since we've already voted to recommend
18 its withdrawal, and since this committee did not really, I
19 think, participate as a committee in the defeat, it seems to
20 me that the appropriate thing is to let ours stand, and let
21 those involved on the full Board, who want to defeat it --
22 if, in fact, they want it reconsidered, you know -- to bring

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1 it back up.

2 But it does not -- I don't see any reason for us to
3 do this again if we're already on record having said that.

4 MR. DANA: Well, I suppose we could -- I don't see
5 any harm in doing it. I just think it may be cleaner to have
6 a proposal that this committee, having reflected on and
7 having been advised that this does not impair our abortion
8 policy, we recommend that we go forward again.

9 And I guess I would urge the committee to adopt my
10 motion.

11 CHAIRMAN SHUMWAY: Ms. Glasow, I just wanted to
12 clarify for my understanding here: If the motion that Mr.
13 Dana has made passes, we then take away from the rule those
14 three areas that you've outlined in your letter of January
15 25th, namely the rule which would prohibit recipients from
16 using private funds to, number one, engage in broad general
17 research unrelated to the representation of eligibly clients;
18 number two, represent clients who do not meet eligibility
19 guidelines; and number three, undertake any class action case
20 without the express approval of the recipient's project
21 director. Is that correct?

22 MS. GLASOW: That's correct. That has been our

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1 proposal all along, is to withdraw those three proposed
2 revisions.

3 CHAIRMAN SHUMWAY: Now, is it possible that the
4 abortion concern arose in the context of number one,
5 addressing research? Many foes of abortion are likewise
6 opposed to what is called fetal tissue research. In the
7 history of that proposal was there any connection made
8 between that kind of research and its placement in Part 1610?

9 MS. GLASOW: In the regulatory history, no, that
10 was never raised. However, the Corporation has a long-
11 standing policy that if a certain activity is prohibited
12 under the Act, then any related activity is prohibited, too.
13 So, for all those abortion activities that are prohibited to
14 LSC recipients, they automatically could not engage in
15 education and research in that area. So that would already
16 be taken care of.

17 CHAIRMAN SHUMWAY: As far as the second proviso --
18 that is, prohibiting funds for those to represent clients who
19 don't meet eligibility guidelines -- isn't that subject
20 otherwise addressed in our rules? Certainly there are --

21 MS. GLASOW: Right now our --

22 CHAIRMAN SHUMWAY: -- provisions that say we can't

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1 allow funds to be used for ineligible clients?

2 MS. GLASOW: Our eligibility rule, which is Part
3 1611, has a provision that says recipients may use non-LSC
4 funds to service ineligible clients. So, our eligibility
5 guidelines only reach clients that are served with LSC funds.

6 And this would have changed that. This would have
7 said that recipients could not use their non-LSC funds to
8 service ineligible clients.

9 CHAIRMAN SHUMWAY: Okay. Are there further
10 questions, further comment regarding pending motion? Mr.
11 Saunders, did you want to add anything to the discussion
12 we've had?

13 MR. SAUNDERS: Mr. Chairman, we agree with what Ms.
14 Glasow said.

15 CHAIRMAN SHUMWAY: If no further comment, we'll
16 call for the question. Those in favor of the motion say aye.

17 (A chorus of ayes.)

18 CHAIRMAN SHUMWAY: Those opposed, no.

19 (No response.)

20 CHAIRMAN SHUMWAY: The ayes have it. The ayes have
21 it. The motion is agreed to.

22 We then move on to Part 1612. Ms. Glasow.

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1 MS. GLASOW: Okay. The committee was also asked to
2 look back at 1612 and clarify for the Board where this rule
3 was procedurally.

4 At the December 7th meeting the committee adopted
5 most of the proposed revisions to Part 1612 as proposed by
6 staff. The revision to 1613, however, that would add a
7 paragraph E on the dissemination information during training,
8 was adopted only after being amended. And the proposed
9 revision to add paragraph F, dealing with organizing, was
10 defeated.

11 When this rule was brought before the full Board,
12 the Board tabled consideration of Part 1612 until the staff
13 could provide them with analysis of the effects of the
14 proposed changes to LSC's abortion policy. And that, too,
15 has been addressed in the memorandum.

16 And bottom line, there is that some of the changes
17 to 1612, indeed, would effect the Corporation's abortion
18 policy, and we've offered some language that would make the
19 changes to 1612 -- in essence, abortion -- neutral. However,
20 that abortion neutral language -- as long as the Rudman
21 Amendment exists in our Appropriations Act -- would be
22 unenforceable.

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1 So, in essence, it would be saying, "This is LSC's
2 policy." It does conflict with the Rudman Amendment, but it
3 would be upholding the Corporation's policy.

4 The other point to be made is that the Rudman
5 Amendment already allows the use of private funds for those
6 abortion activities that are allowed under the LSC Act. But
7 the fact that the rule is basically Corporation law and
8 Corporation policy, the Rudman Amendment is more
9 congressional policy.

10 So, it's really the choice of the Board to decide
11 whether they want to uphold the Corporation's policy to the
12 regulatory process. Because when a regulation is passed, it
13 becomes permanent law that will last until the Board changes
14 that law. The Rudman Amendment is temporary law in the sense
15 that it only exists for the life of that year -- the
16 Appropriations Act must be reinstated every year.

17 So that is the main difference. So the proposed
18 changes to 1612 indeed would effect the Corporation's present
19 abortion policy. They can neutralize that with the language
20 suggested on the last page of the memorandum on the abortion
21 policy, however, that would be unenforceable as long as the
22 Rudman Amendment exists.

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1 And I would suggest that the abortion issue be
2 considered first before we go through all the specific
3 changes in 1612, because if the decision is made not to make
4 the changes to 1612 because of the effect on the abortion
5 policy, then there is no reason to go through all those
6 changes.

7 CHAIRMAN SHUMWAY: All right. Thank you. I'm
8 advised that Alan Houseman is on the telephone. Alan, can
9 you hear us?

10 MR. HOUSEMAN: You fade in and out, I'm afraid.

11 CHAIRMAN SHUMWAY: We fade in and out, but at least
12 it's good to have you for the "in" times, if not the "outs."

13 The language, then, that you have put before us for
14 adoption -- if we are concerned about changing our policy
15 regarding abortion -- would add to the committee's action the
16 words, "In addition, the provisions of this Part shall apply
17 to funds made available by private entities. For those
18 restrictions on legal assistance activities that are
19 explicitly set forth by Sections 107B5, B6, B7, and 1010C of
20 the LSC Act, or for any restriction on abortion activity
21 currently included in the Corporation's Appropriation's Act,
22 notwithstanding the exceptions in sections 1612.13 of this

1 Part. Is that right?

2 MS. GLASOW: That's correct.

3 CHAIRMAN SHUMWAY: Okay. Committee members, is
4 there discussion on the questions?

5 (No response.)

6 CHAIRMAN SHUMWAY: Do the Board members present
7 have any questions or discussion?

8 (No response.)

9 CHAIRMAN SHUMWAY: If not, do I hear a motion?

10 M O T I O N

11 MR. DANA: Mr. Chairman.

12 CHAIRMAN SHUMWAY: Mr. Dana.

13 MR. DANA: In order to sort of get by this issue, I
14 would move the staff's recommended additional language as set
15 forth, or as read by the Chair.

16 CHAIRMAN SHUMWAY: All right. Mr. Dana has moved
17 the revision to 1612.2, including the language suggested by
18 staff regarding abortion. Is there a second to the motion?

19 MS. LOVE: Second.

20 CHAIRMAN SHUMWAY: It has been moved and seconded.
21 Is there any discussion about the motion?

22 MR. SAUNDERS: Mr. Chairman.

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1 CHAIRMAN SHUMWAY: Yes, Mr. Saunders.

2 MR. SAUNDERS: I don't know if this is a point at
3 which Alan has faded in or out --

4 CHAIRMAN SHUMWAY: Alan, can you hear Don?

5 MR. HOUSEMAN: The machine is fading in and out.
6 I'm not sure this is going to work. I really can't hear
7 anything right now.

8 MR. DANA: If Alan were in, he would say to us --

9 (Laughter)

10 MR. DANA: -- that the language that I proposed is
11 illegal, and it violates the Rudman Amendment. And I think
12 that it could not take effect if the Rudman Amendment remains
13 in effect. And the language does not bring our regulation in
14 conformity with Rudman.

15 So therefore, one would argue why am I moving to do
16 this since I'm trying to get us in sync with Congress. The
17 reason I'm proposing it is that I think realistically this
18 Board is not going to change our policy on abortion. But we
19 can change, and are, I think, prepared to change lots of
20 other things which are coming. But we really have to get by
21 this issue first in order to --

22 MR. KIRK: Could you stop for just a minute? I'm

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1 going to try something -- Alan, stick with me for a second,
2 okay? How is that Alan? Can you hear?

3 MR. HOUSEMAN: Right now. It is when the power
4 fades in and out. Now it has faded out again.

5 MR. KIRK: Well, I just pushed a button that says
6 to the proper microphone, so maybe that will help. Let's try
7 it.

8 CHAIRMAN SHUMWAY: Our engineer Mr. Kirk has tried
9 to adjust the sound. Mr. Dana, would you go ahead?

10 MR. DANA: Well, what I said is a pale imitation of
11 what Alan would have said, so if he wants to speak to this he
12 should do so.

13 MR. HOUSEMAN: Are we talking about the proposed
14 change in language on page 5 of Suzanne's January 25th memo?

15 CHAIRMAN SHUMWAY: No, we are on page 4, Alan --
16 actually beginning on page 3, specifically, 1612.2.

17 MR. DANA: Actually, the answer to Alan's question
18 is yes, because if you get to the page of his memo on the
19 25th --

20 CHAIRMAN SHUMWAY: The language appears on page 5,
21 that's correct.

22 MR. KIRK: Alan, for whatever it is worth, we can

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1 hear you quite well, so maybe you just ought to do the
2 talking.

3 MR. HOUSEMAN: Well, I'm not sure that -- we have
4 two concerns about the language that is proposed. First, as
5 I think Howard has pointed out, from what I can tell, its
6 inconsistent with the Rudman Amendment. And secondly, it is
7 inconsistent with Section 1007(a)(5) and 1007 -- whatever the
8 abortion provision is.

9 So, it's inconsistent both with the appropriation
10 language and with the 1007(b)(8) language, which you can see,
11 obviously. So, that's our problem with the proposal that was
12 made by Suzanne's memo. That's all I have to say.

13 CHAIRMAN SHUMWAY: All right. Thank you, Alan.
14 Suzanne, would you respond to the 1007(a)(5) and 1007(b)(8)
15 inconsistencies?

16 MS. GLASOW: I'm not quite sure what he's talking
17 about, unless he's talking about it's going further than the
18 restrictions in the Act. And if that is what he is saying,
19 then I agree, it's covering all restrictions on abortion,
20 including those in the Appropriations Act.

21 CHAIRMAN SHUMWAY: Well, just speaking as the
22 acting Chairman, I think that Howard's motion is well

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1 premised in that we, indeed, do need to get beyond this
2 hurdle if we're going to accomplish much of anything this
3 morning. I think it is quite likely that the full Board is
4 not going to be disposed to tamper with something as
5 sensitive, controversial and difficult as this issue. I'm
6 prepared, therefore, to support Mr. Dana's motion.

7 Is there further discussion?

8 (No response.)

9 CHAIRMAN SHUMWAY: Hearing none, those in favor of
10 Mr. Dana's motion say aye.

11 (A chorus of ayes.)

12 CHAIRMAN SHUMWAY: Those opposed?

13 (No response.)

14 CHAIRMAN SHUMWAY: The ayes have it, the motion is
15 agreed to.

16 We then move on to, I think, Motion 2, is that
17 correct? Suzanne, would you --

18 MS. GLASOW: Yes. May I point out to this
19 committee what documents it would be helpful for them to have
20 in front of them right now?

21 MR. HALL: Yes, please.

22 MS. GLASOW: I provided yesterday a copy of the

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1 joint memo by Alan Houseman and myself, which is dated
2 January 27, 1993. Attached to that is a text of 1612 which
3 shows deletions and additions, and in some cases, several
4 alternatives that we will be discussing.

5 This text has been revised from the one given you
6 last month in Washington, D.C., so please use the new one I
7 gave you yesterday.

8 CHAIRMAN SHUMWAY: Excuse me. The new one
9 yesterday is dated?

10 MS. GLASOW: There is no date on the text itself,
11 but it was attached to the joint memo that I gave you
12 yesterday.

13 CHAIRMAN SHUMWAY: All right. That's the one that
14 begins with page 2?

15 MS. GLASOW: No. The joint memo is the one dated
16 January 27th.

17 CHAIRMAN SHUMWAY: All right.

18 MS. GLASOW: And then this morning I have
19 provided -- and I'm not sure all of you have gotten it yet --
20 the top page starts at the top, the No. 1, Motion 1, 1612.2,
21 and there are two pages which basically overlay an old
22 document that this committee used when it originally passed

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1 the different provisions to 1612, and I will basically be
2 walking you through this.

3 For anyone who doesn't have this document, I
4 believe Victor has some extra copies. Mr. Hall, did you get
5 this one with the motions?

6 MR. HALL: Yes.

7 MS. GLASOW: Okay.

8 CHAIRMAN SHUMWAY: One of those documents says
9 "Motion to 1612.3(b), transportation adopted by committee."

10 MS. GLASOW: That's correct.

11 CHAIRMAN SHUMWAY: That being the case, why is it
12 back before us this morning?

13 MS. GLASOW: I prepared this for, basically, both
14 committee and Board use. The Board sent this rule back at
15 the last meeting because they were a little unsure where we
16 were procedurally. The committee does not necessarily need
17 to act on all of these motions, except to clarify for the
18 Board where we are procedurally.

19 CHAIRMAN SHUMWAY: So the language of this motion
20 says, "However, private funds may be used to pay
21 transportation costs for lay advocates to accompany the
22 client when necessary and appropriate." Is that the language

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1 that the committee adopted in the last meeting?

2 MS. GLASOW: That is correct.

3 CHAIRMAN SHUMWAY: Mr. Saunders -- or Mr. Houseman,
4 if you're in tune with us -- do you have further comments?

5 MR. HOUSEMAN: No, I think the memo that we
6 prepared lays out the concerns and tries to answer the
7 questions that were raised. If there are questions about the
8 memo that Suzanne can't answer, I'll be glad to.

9 CHAIRMAN SHUMWAY: All right. What is the
10 disposition of the committee?

11 MR. DANA: Mr. Chairman.

12 CHAIRMAN SHUMWAY: Mr. Dana.

13 MR. DANA: I think that the memo prepared by staff
14 and CLASP should allay any concerns expressed. And I would
15 hope that we will be able to persuade the full Board to adopt
16 our prior recommendation. And I agree with the Chairman, I
17 don't think it's necessary for us to remake our
18 recommendation unless we have misgivings.

19 CHAIRMAN SHUMWAY: Further comments by committee
20 members, board members? Mr. Kirk.

21 MR. KIRK: Are we dealing with 1612.3(b)?

22 CHAIRMAN SHUMWAY: That's correct.

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1 MR. KIRK: Well, I will reiterate Ms. Pullen's
2 concerns that somehow we have to have as many lay advocates
3 as somebody decides we need to have be transported. And you
4 know, with all due respect, the authors of the memo don't
5 think that we need a predetermined limit.

6 I do not think that's appropriate and I cannot
7 imagine why we would be meet and why we would be opposed to
8 having a predetermined number. So I would support Ms.
9 Pullen's position stated in the last meeting.

10 CHAIRMAN SHUMWAY: And she favored a predetermined
11 number, or not?

12 MR. KIRK: Ms. Glasow, refresh our recollection. I
13 think that she indicated that she was not in favor of any,
14 but had a particular concern over the fact that it was not a
15 limited number of lay advocates.

16 MS. GLASOW: Yes. She was concerned, number one,
17 about what was a lay advocate, and we set that out in the
18 memorandum. And two, she was concerned about how many could
19 be allowed to go.

20 It's difficult to put an exact number. Certainly
21 we can do that, we could say 1, 2, 3, whatever. But the
22 language in the regulation says, "When necessary and

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1 appropriate," and we have other regulations that talk about
2 allowable costs. So the recipients already have to justify,
3 in essence, where they are spending their money, and we felt
4 that that would be a sufficient standard.

5 However, if this committee and/or Board determines
6 that they would be more comfortable with a specific number
7 then we would need to revise that language.

8 MR. DANA: Did Ms. Pullen suggest a specific
9 number?

10 MS. GLASOW: I don't believe she did.

11 MR. DANA: Mr. Chairman.

12 CHAIRMAN SHUMWAY: Mr. Dana.

13 MR. DANA: I take it we don't have Ms. Pullen
14 available? I thought I heard her voice earlier -- maybe I
15 was dreaming. I was?

16 CHAIRMAN SHUMWAY: No, I don't think she is --

17 MR. DANA: Her views are in a paragraph on page 2
18 of the January 27th meeting, where she questioned whether
19 there should be a limit on the number of lay advocates that
20 can accompany a client, in our view, which was our staff and
21 CLASPs view. There should not be a pre-imposed limit.

22 For example, a hearing could involve several

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1 clients who were each assisted by several lay advocates, or
2 one client assisted by several lay advocates. We see no
3 reason to artificially limit the number of lay advocates.
4 Instead, we believe that lay advocates should be treated no
5 differently than others identified in the current provision,
6 which imposes no pre-imposed limit on the number of law
7 students, clients, witnesses, employees or family members
8 that can be transported to a proceeding.

9 I think in view of the fact that there does not
10 seem to be a dispute at all between the staff and the field,
11 I would urge that we not amend our recommendation that
12 already exists.

13 CHAIRMAN SHUMWAY: All right. The committee has
14 made a recommendation to the full Board. And I take it that
15 the committee's preference is to stand on that recommendation
16 without either reiterating it or changing it this morning; is
17 that correct?

18 (No response.)

19 CHAIRMAN SHUMWAY: Is there any further discussion
20 on this item?

21 MR. KIRK: Mr. Chairman.

22 CHAIRMAN SHUMWAY: Yes, Mr. Kirk.

1 MR. KIRK: I will not, since it appears there were
2 no votes -- I mean, not enough votes to put it aside -- I
3 believe in, again, speaking for several members of the Board
4 that -- you know, when we talk about taking a bunch of
5 students, witnesses and family members to a hearing that's
6 not what we had in mind, and that's not what we're talking
7 about doing. And that there probably should be some
8 restriction on it and that it would be appropriate, but I
9 will -- since it's already on the table, I'll bring that up
10 at the full Board meeting.

11 But I do believe that was exactly what the concern
12 was, and that the fact that a lay advocate could involve
13 family members, and employees, and students, and stuff like
14 this.

15 MR. DANA: Ms. Glasow can help us with this, Mr.
16 Chairman, but I think that we were only talking about lay
17 advocates because the regulations currently permit family
18 members and any number of family members and lawyers and law
19 students to be transported to a hearing. So that the issue
20 of limiting those various classes where it's not even
21 involved -- the question is whether we should impose a limit
22 on lay advocates, which is the only issue before us. And the

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1 argument is since there is no limitation on the others, why
2 impose a limit just on lay advocates.

3 MR. KIRK: I thank you for the clarification, and I
4 would oppose it then to the other members, too.

5 MR. DANA: All right.

6 CHAIRMAN SHUMWAY: Any further discussion?

7 (No response.)

8 CHAIRMAN SHUMWAY: Hearing none, we will then move
9 on to the next matter, which I believe is 1612.3(e),
10 assisting others. Is that correct, Ms. Glasow?

11 MS. GLASOW: That's correct.

12 CHAIRMAN SHUMWAY: Could you describe that to us?

13 MS. GLASOW: This motion, there doesn't seem to be
14 any concern about it. It was adopted by the committee and
15 therefore there would be no change in the motion language.
16 And we were revising this one basically to conform it to the
17 rest of the rule, and to the exceptions it allowed in
18 1612.13.

19 So that really was to make it internally consistent
20 with the rest of the rule.

21 CHAIRMAN SHUMWAY: All right. Are there other
22 questions of Ms. Glasow?

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1 (No response.)

2 CHAIRMAN SHUMWAY: Any comment from Mr. Houseman on
3 this matter?

4 MR. HOUSEMAN: I didn't hear what was said before.
5 The memo outlines our concerns. I think Ms. Pullen had
6 suggested that there should be some ban on sending any
7 coalition, meeting for any purpose.

8 The current regulation permits attending coalition
9 meetings for a number of purposes --

10 MS. GLASOW: Alan is talking about --

11 MR. SAUNDERS: Mr. Chairman, we agree with the
12 suggested change here.

13 CHAIRMAN SHUMWAY: You're one ahead of us, Alan.
14 We're still on the matter of assisting others.

15 MR. SAUNDERS: We would certainly agree with --

16 CHAIRMAN SHUMWAY: All right. Again, this is a
17 subject on which this committee has acted. Is there any
18 desire on the part of the committee to change that action, or
19 to repeat it, or otherwise act?

20 (No response.)

21 CHAIRMAN SHUMWAY: Hearing none, then I assume we
22 will stand on the action we've already taken.

1 We will then move on to 1612.3(f), and this is the
2 one that, Alan, you were speaking about -- coalition
3 meetings. Suzanne, would you tell us about this one?

4 MS. GLASOW: This provision was passed by the
5 committee. Some concerns were raised that are discussed in
6 the joint memo. There has been no suggestion changing the
7 language, so if the memo satisfies those concerns then there
8 doesn't need to be any change in this committee's
9 recommendation.

10 Alan may want to address all those concerns if he
11 is on the line. Alan?

12 CHAIRMAN SHUMWAY: Alan, do you want to now tell us
13 about your thoughts on attendance at coalition meetings?

14 MR. HOUSEMAN: I'm sorry, I have a feeling this
15 isn't going to work very well.

16 CHAIRMAN SHUMWAY: We're doing all right. Go
17 ahead.

18 MR. HOUSEMAN: There were two concerns, I think,
19 raised. One was that people shouldn't attend any coalition
20 meetings, and all I was pointing out was that the current
21 regulation permits attending coalition meetings under a
22 number of circumstances. All that we're doing here is

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1 conforming the language of the LSC Act to the Rudman
2 Amendment, which does permit attendance at coalition meetings
3 as long as we're not engaging in an activity that is
4 prohibited by something else that would -- some other
5 section, or some other part of the LSC Act and regulations.

6 All the proposal is doing is clarifying that you
7 could attend a coalition meeting if it was otherwise
8 permissible to attend a coalition meeting. There was no
9 separate ban on attending coalition meetings. And that's all
10 I can say about this.

11 CHAIRMAN SHUMWAY: Okay, thank you. Are there
12 questions of either Ms. Glasow or Mr. Houseman?

13 (No response.)

14 CHAIRMAN SHUMWAY: And again, Suzanne, do I
15 understand correctly that this is a suggestion that we've
16 already adopted in the committee, recommended to the Board,
17 and therefore, unless we desire to change, that we won't take
18 action?

19 MS. GLASOW: That's correct.

20 CHAIRMAN SHUMWAY: I hear no motion, I assume
21 therefore it's the desire to stand pat.

22 We will then move on to section 1612.6(a),

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1 responses by recipients to requests from public officials.

2 Ms. Glasow.

3 MS. GLASOW: Okay. Basically, this committee
4 passed the staff alternative, which was alternative 1, CLASP
5 has asked for reconsideration of their alternative, which is
6 alternative 2. The language of the two alternatives is in
7 the text that I provided you on page 8. And they're
8 basically designated as the LSC staff alternative, or the
9 CLASP alternative.

10 The LSC staff alternative was provided at the
11 request of Mr. Dana, who was concerned that allowing the
12 dissemination of documents pursuant to a request from a
13 public official was too open ended, and he asked us to
14 tighten up the language, and we provided the LSC staff
15 alternative.

16 Our alternative says that they can disseminate the
17 documents only when the law of formal procedures for public
18 comment require distribution in response to other specific
19 persons or entities. This would be in addition to the person
20 who actually requested the document. CLASP has offered an
21 alternative that basically sets up a reasonable standard for
22 the distribution, and Mr. Houseman may want to speak to that.

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1 CHAIRMAN SHUMWAY: Do I understand correctly that
2 the full Board acted upon our recommendation of alternative
3 1?

4 MS. GLASOW: No, the Board has not voted on any of
5 the changes to 1612 yet because of their concern about the
6 abortion issue.

7 CHAIRMAN SHUMWAY: All right. Okay. Mr. Houseman,
8 do you want to defend your proposal of alternative 2?

9 MR. HOUSEMAN: Were you asking me? I'm sorry --

10 CHAIRMAN SHUMWAY: Yes. Do you the know the matter
11 we're now talking about?

12 MR. HOUSEMAN: I know what you're talking about.

13 CHAIRMAN SHUMWAY: And you've got an alternative
14 before us, we're referring to it as alternative 2.

15 MR. HOUSEMAN: If I might --

16 CHAIRMAN SHUMWAY: Please.

17 MR. HOUSEMAN: If I'm not out of order I'll say a
18 couple of things. We don't read either the appropriation
19 rider or the LSC Act as causing a limitation on with whom a
20 person can respond, so long as they are responding to the
21 request that was made of them.

22 Mr. Dana raised what is I think a legitimate

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1 concern that public officials could have programs to
2 undertake the responses that were not in any way reasonable.
3 And I think, Howard, your hypothetical looks like one was
4 requested. You've got -- a program sends a copy of the
5 response to all members of the legislative body.

6 What we tried to do here was stick within the
7 framework of the second 1007(a)(5) and a Corporation rider to
8 permit responding to requests, but impose a standard of
9 reasonableness that is found generally in the Act, but
10 specifically set forth in Part 1630 of your regulations --
11 the framework for how responses should be made.

12 The difference between the staff proposal and our
13 proposal is that the staff has limited responses to
14 situations where the law or the committee rules permitted.
15 Some of the procedures of law require distribution. For
16 example, when you testify you're often required to prepare 25
17 copies and distribute them when you testify under many
18 procedures of a, you know, congressional level committees.

19 Our view would be that there is no such limitation
20 explicitly set forth in the LSC Act. This is a standard, and
21 therefore, the efforts to impose this limitation from
22 responding to the request is inconsistent with the Rudman

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1 Amendment.

2 I would finally point out that there are many
3 circumstances when a person making a request will ask, for
4 example, that someone provide a copy of the response to
5 another staff member, and another committee chairman, or the
6 chairman or staff member in the appropriate committee in the
7 other body -- for example, a member of the House asked me the
8 other day if the chair of the Senate committee, as well as a
9 key staff person would get a copy as well.

10 And what our proposal would do is allow that to
11 occur, the staff proposal would not. And I don't think there
12 is any danger for imposing these limitations in the Rudman
13 Act. Every time Congress has considered whether there should
14 be restrictions on responding to requests, the Congress
15 indicated there should not be.

16 The latest was last May in the House of
17 Representatives, and in the House Judiciary Committee
18 considerations into why in 1991 -- where the question is
19 should there be some limit on responding to requests, and
20 Congress said no, and the committee said no, and there
21 wasn't.

22 So our proposal was designed in a form of the two

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1 -- of the Rudman Admendment, to try take into account our
2 concerns in a way that we thought was reasonable.

3 CHAIRMAN SHUMWAY: All right. Let me ask one
4 question -- committee members may have other questions, but
5 you're making the difference -- I understand that based upon
6 what is reasonable and necessary, as those terms may be
7 defined otherwise. And that would allow a broader kind of
8 response; is that correct, Alan?

9 MR. HOUSEMAN: Yes, that's correct.

10 CHAIRMAN SHUMWAY: Are there further questions by
11 committee members? Mr. Kirk.

12 MR. KIRK: Mr. Chairman, I wonder if you would
13 comment on this as a person that might be more closely
14 related to what is necessary during a Congressional committee
15 hearing.

16 CHAIRMAN SHUMWAY: Well, maybe it reflects the bias
17 in my background, but I'm prone to believe the language
18 suggested by Mr. Houseman is probably the more appropriate
19 language.

20 First of all, I kind of deplore the fact that we
21 get into this kind of intricate detail. This really is
22 micromanagement, and you know, I know that some degree of

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1 micromanagement perhaps is justified. But I think to the
2 extent that we try to dot every I and cross every T, we're
3 going to just find ourselves in trouble, not just with our
4 field people, but with those in Congress that we want to
5 impress that we're doing the right thing.

6 So my basic inclination would be to move away from
7 trying to be that explicit, and to allow the broader
8 guidelines to control.

9 MR. KIRK: Then in that event I will move to adopt
10 the plans for it.

11 CHAIRMAN SHUMWAY: All right. Now, you're not a
12 member of this committee, I think -- are you?

13 MR. KIRK: Oh, I'm not anymore. I'm sorry.

14 CHAIRMAN SHUMWAY: I'd be happy to accept your
15 motion, except it's --

16 MR. KIRK: I used to be.

17 CHAIRMAN SHUMWAY: Is there a motion? Are you
18 making Mr. Kirk's motion?

19 M O T I O N

20 MS. LOVE: So moved.

21 CHAIRMAN SHUMWAY: Okay, it has been moved by Ms.
22 Love -- and seconded? Is there a second before we have

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1 discussion?

2 MR. DANA: Am I the only person who can second it?

3 CHAIRMAN SHUMWAY: Apparently so. I guess I can,
4 myself, as the Chair. All right. I will second it and then
5 we'll have discussion. Mr. Dana.

6 MR. DANA: I think I've been persuaded by the
7 Chairman.

8 CHAIRMAN SHUMWAY: All right, that's a profound
9 reaction.

10 (Laughter)

11 CHAIRMAN SHUMWAY: Are there further comments,
12 questions?

13 (No response.)

14 CHAIRMAN SHUMWAY: Okay. We're talking now about
15 alternative 2, that suggested by Mr. Houseman. Those in
16 favor of the motion say aye.

17 (A chorus of ayes.)

18 CHAIRMAN SHUMWAY: Opposed?

19 (No response.)

20 CHAIRMAN SHUMWAY: The ayes have it, the motion is
21 agreed to.

22 We then move on to consideration of 1612.13(b),

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1 grassroots lobbying; is that correct, Ms. Glasow?

2 MS. GLASOW: That's correct. This provision was
3 adopted by the committee. Again, some concerns were raised,
4 they're discussed in the joint memo at pages 3 and 4. If
5 there are no changes as a result of those concerns, then
6 there is no change in the motion language for this committee.
7 They would just take the proposal they adopted last time to
8 the full Board.

9 CHAIRMAN SHUMWAY: Okay. Mr. Houseman, did you
10 want to add anything to that description?

11 MR. HOUSEMAN: I didn't hear it. I think the memo
12 speaks for itself, so I'll stand by whatever Suzanne said.

13 CHAIRMAN SHUMWAY: All right, thank you. Are there
14 questions by committee members?

15 (No response.)

16 CHAIRMAN SHUMWAY: Questions by any Board members
17 present?

18 (No response.)

19 CHAIRMAN SHUMWAY: Again, this is one of those
20 cases, I understand, Suzanne, where we don't need a motion or
21 action because we've already made a recommendation.

22 MS. GLASOW: That is correct.

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1 MS. GLASOW: The committee, I take it, wants to
2 stand on the existing recommendations? All right.

3 Then we will move on to the next item, No. 7, which
4 deals with 1612.13(d), and the topic there is dissemination
5 of information. Ms. Glasow.

6 MS. GLASOW: This also was adopted by the
7 committee. There doesn't seem to be any concerns about it,
8 so unless some are raised at this point this would just go
9 before the full Board as adopted by the committee last time.

10 CHAIRMAN SHUMWAY: Mr. Houseman, do you have any
11 further thoughts to add?

12 (No response.)

13 CHAIRMAN SHUMWAY: He either has none, or he is
14 tuned out at the moment. Any questions by Board members or
15 committee members?

16 (No response.)

17 CHAIRMAN SHUMWAY: Then I take it, again, no action
18 means that we will stand on the recommendation we have
19 already made. Okay.

20 Then we will move on to section 1612.13(e). This
21 is a new paragraph dealing with dissemination of information
22 during training. This likewise was adopted by the committee

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1 with an amendment. Would you describe that to us?

2 MS. GLASOW: That is correct. The committee added
3 a sentence, and subsequently CLASP and staff have agreed on
4 substitute language to that. The issue, again, is discussed
5 in the joint memo on pages 4 and 5.

6 If you look at the text I gave you, on the very
7 last page we have the text of paragraph E as adopted by the
8 committee, and then we have the alternative which we are
9 suggesting for your reconsideration today.

10 After looking at the amendment that the committee
11 adopted to this provision -- this talks about the
12 dissemination of information during training. The committee
13 added the language, "This provision does not permit the
14 dissemination of information that advocates or encourages any
15 particular public policy or political activity."

16 Upon reflection on that language we felt it was
17 almost unenforceable because it was just too broad and vague.
18 And so we suggest some other language which we feel is really
19 in tune with what Congress and the past Board was trying to
20 prevent.

21 And so we would suggest the alternative, which is,
22 "However, recipients may not disseminate information that

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1 contains any publicity or propaganda prohibited by this
2 part," which basically prevents them from getting involved in
3 a grassroots lobbying kind of activity that was really the
4 crux of Congressional and Board concern.

5 Also, publicity and propaganda is defined in the
6 rule, so it's more enforceable and that we really know what
7 we're talking about when we're talking about advocating and
8 encouraging any public policy or political activity, almost
9 anything could come under that. And I think it would be
10 difficult for our monitors to be looking at documents or
11 information and determine what was prohibited and not
12 prohibited by this paragraph.

13 MR. DANA: Mr. Chairman.

14 CHAIRMAN SHUMWAY: Yes, Mr. Dana.

15 M O T I O N

16 MR. DANA: Based upon the recommendation of staff
17 and CLASP, I would move to reconsider the language adopted by
18 the committee, and substitute instead the language proposed
19 on page 14 of the text.

20 CHAIRMAN SHUMWAY: It has been moved that we amend
21 our recommendation to the full Board. Is there a second?

22 MS. LOVE: Second.

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1 CHAIRMAN SHUMWAY: It has been moved and seconded.

2 Is there discussion?

3 MR. SAUNDERS: Mr. Chairman.

4 CHAIRMAN SHUMWAY: Yes, Mr. Saunders.

5 MR. SAUNDERS: I was not a party to the
6 discussions, and we do have some concerns about this language
7 and I am not sure that it's accurate to say at this point
8 that CLASP has signed off on that. But I want to give
9 Suzanne a chance to --

10 CHAIRMAN SHUMWAY: When you use the term --

11 MS. GLASOW: Yes, they have. The alternative is
12 something that Alan is in agreement with.

13 CHAIRMAN SHUMWAY: You spoke of "we" as you
14 describe this. Does that envision you --

15 MS. GLASOW: Yes, Alan is in agreement with the
16 alternative, right.

17 CHAIRMAN SHUMWAY: Alan, do you have comment on
18 this?

19 MR. HOUSEMAN: Are we still on the training? I was
20 fading out for a while.

21 MS. GLASOW: Yes.

22 CHAIRMAN SHUMWAY: Dissemination of information

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1 during training.

2 MR. HOUSEMAN: Okay. I agree with the proposal
3 that is in our joint memo. And I think it addresses --
4 hopefully it addresses the concerns that were raised.

5 CHAIRMAN SHUMWAY: Okay, that motion -- or rather
6 that --

7 MR. HOUSEMAN: I want to emphasize that it also
8 prohibits a training program which was designed to have as
9 its purpose the advocating of particular public policies and
10 encouraging political activities. That is prohibited, that
11 remains prohibited.

12 CHAIRMAN SHUMWAY: Well, that language that you've
13 agreed upon is pending as a motion before the committee. And
14 we understand it's a joint recommendation both by our staff
15 and by Mr. Houseman.

16 Is there further discussion?

17 (No response.)

18 CHAIRMAN SHUMWAY: Hearing none, those in favor of
19 the motion please say aye.

20 (A chorus of ayes.)

21 CHAIRMAN SHUMWAY: Those opposed, no.

22 (No response.)

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1 CHAIRMAN SHUMWAY: The ayes have it. The motion is
2 agreed to, which is a recommendation with the amendment that
3 you suggested.

4 The next item then before us is 1612.13(f), and
5 this is a new paragraph dealing with organizing. This was
6 defeated by the committee in our last meeting. CLASP has
7 asked for reconsideration. Ms. Glasow.

8 MS. GLASOW: Basically, on the organizing I'm not
9 sure why the committee defeated it. It really wasn't
10 discussed enough in the transcript for me to explain that to
11 you. It was defeated on a tie vote. I'm more or less in
12 agreement with CLASP's suggestion that you reconsider this if
13 indeed you want to conform this section to the Rudman
14 Amendment also.

15 Legislative history is very clear as to what
16 Congress meant when they talked about organizing. It's
17 basically taking Congress's description of what they meant by
18 this and putting it into the rule. So I think adopting this
19 change to the new paragraph F is basically in accord with the
20 Congressional intent and with the Rudman Amendment.

21 CHAIRMAN SHUMWAY: Do I understand correctly that
22 here we are talking about using funds to encourage

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1 considering organizing as opposed to organizing, per se? Is
2 that --

3 MS. GLASOW: That is correct.

4 CHAIRMAN SHUMWAY: Okay.

5 MR. DANA: Mr. Chairman.

6 CHAIRMAN SHUMWAY: Yes, Mr. Dana.

7 M O T I O N

8 MR. DANA: Based upon the recommendation of CLASP
9 and our staff, I would move to reconsider the committee's
10 vote to defeat the addition of a new paragraph F, the section
11 1612.3, and vote instead to adopt the addition of paragraph F
12 as set out in the text at page 14 to section 1612.3.

13 CHAIRMAN SHUMWAY: All right. It has been moved.
14 Is there a second?

15 MS. LOVE: Second.

16 CHAIRMAN SHUMWAY: It has been moved and seconded.
17 Is there discussion regarding the motion?

18 (No response.)

19 CHAIRMAN SHUMWAY: Once again, the reason for the
20 tie vote in our last committee meeting were not evident?

21 MS. GLASOW: No. I don't know why it was defeated.

22 CHAIRMAN SHUMWAY: Do the committee members recall

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1 any meaningful arguments against this proposal?

2 MR. DANA: It was late in the day.

3 CHAIRMAN SHUMWAY: Okay. It's late in the morning
4 already here. Is there further discussion?

5 (No response.)

6 CHAIRMAN SHUMWAY: Hearing none -- no question on
7 the motion -- those in favor say aye.

8 (A chorus of ayes.)

9 CHAIRMAN SHUMWAY: Those opposed, no.

10 (No response.)

11 CHAIRMAN SHUMWAY: The ayes have it. The motion is
12 agreed to.

13 That brings us to the last item, as I understand
14 it, in this agenda item -- that is miscellaneous
15 consideration. This was passed by the committee and you're
16 not recommending any change in what we passed last time; is
17 that correct?

18 MS. GLASOW: That is correct. It basically gave
19 the general counsel's office permission to make any technical
20 changes necessary to publish the rule.

21 CHAIRMAN SHUMWAY: Okay. Do I hear a motion?

22 MR. DANA: I don't know that one is necessary, Mr.

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1 Chairman.

2 CHAIRMAN SHUMWAY: Oh, that's correct. This is one
3 where we don't need to take action. Thank you.

4 All right. Is there anything else, Ms. Glasow,
5 regarding section 1612 action that we need to take?

6 MS. GLASOW: No.

7 CHAIRMAN SHUMWAY: All right. Then we will
8 complete that item, and thank you both for your help. Alan,
9 we thank you for sticking with us.

10 MR. HOUSEMAN: I appreciate it.

11 CHAIRMAN SHUMWAY: The last item on our agenda this
12 morning consists of two lottery selections for the fifth
13 cluster control group of the comparative demonstration
14 projects. It seems like every time we meet we are playing
15 bingo.

16 MR. DANA: I don't know what is in here, and it's
17 sealed. But it's supposedly -- I have a note.

18 CHAIRMAN SHUMWAY: That's more than I have. Just
19 for everyone's edification, let me read the instructions
20 here. "All of the programs included in the selection pool
21 are programs that indicated they were willing to participate
22 in the project, but were not selected during the first

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1 lottery.

2 "All of these programs were notified about the
3 selection for a comparison group, and were given the
4 opportunity to decline to participate. Four programs will be
5 selected." These selections will be the comparison groups, I
6 take it.

7 "Two programs from the small budget, small service
8 area pool, and two from the large budget/small service area
9 pool. All four programs will receive the initial incentive
10 grant of \$20,000 to \$30,000, depending on budget size. They
11 will be evaluated twice by a peer review team using the same
12 methodology and performance criteria that will be used to
13 evaluate the four groups of competing programs. A winner,
14 however, will not be selected.

15 "The purpose of this comparison group is to compare
16 the effect on performance of competing for a cash incentive
17 by observing programs that are not competing for an award.
18 So, for the selection we will draw two slips from group one.

19 "Group one includes programs with a small budget
20 that is less than \$1 million, and small service area less
21 than 3,000 square miles. Then we will select two slips from
22 group three, which includes programs with large budgets over

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1 \$1 million, and small service area less than 3,000 square
2 miles.

3 "And then finally we will select one additional
4 slip from each group. These two programs will serve as
5 alternates in the event one of the programs decides to
6 withdraw."

7 Yes, Jack.

8 MR. O'HARA: Thank you, Mr. Chairman. The only
9 thing that is missing from that is we had selected alternate
10 peer reviewers. One of them is an executive director of the
11 program at San Diego, and he will be the team leader of that
12 particular group which will review these projects.

13 In other words, we are going to use the four
14 alternate peer reviewers that I selected to do that group.

15 CHAIRMAN SHUMWAY: Do we have to take action on the
16 peer review?

17 MR. O'HARA: No, that's entirely administrative.

18 CHAIRMAN SHUMWAY: All right. Ms. Love, would you
19 draw these lucky numbers from the envelope for us? We first
20 have group one and we need you to take two slips. We won't
21 blindfold you, but we know you'll be objective.

22 The first one drawn is Blair County Legal Services

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1 Corporation, Pennsylvania. The second one drawn is Berrien
2 County Legal Services Bureau, Mississippi -- or Michigan, I
3 guess that is, MI, pardon me.

4 Okay. From group three the first one drawn is
5 Middlesex County Legal Services Corporation, from New Jersey.
6 And the second one is San Fernando Valley Neighborhood Legal
7 Services from California.

8 All right. Let's add to the first envelope for an
9 alternate. The alternate for group one is Broom County Legal
10 Assistance Corporation of New York. And for group three the
11 alternate is Northeast Ohio Legal Services, from Ohio.

12 That completes the agenda. Any further items to
13 come before the committee this morning?

14 (No response.)

15 CHAIRMAN SHUMWAY: Hearing none, I'll entertain a
16 motion to adjourn.

17 M O T I O N

18 MR. DANA: So moved.

19 MS. LOVE: Second.

20 CHAIRMAN SHUMWAY: It has been moved and seconded
21 we adjourn. Those in favor say aye.

22 (A chorus of ayes.)

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