that the Chairman or presiding officer
of the Board shall have the authority
to have such members of the public
who are responsible for such acts or
court removed from the meeting.
[50 FR 30714, July 29, 1985]

§ 1622.10 Report to Congress.
The Corporation shall report to the
Congress annually regarding its com-
pliance with the requirements of the
Government in the Sunshine Act, 5
U.S.C. 552(b), including a tabulation
of the number of meetings open to the
public, the number of meetings or por-
tions 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, includ-
ing any costs assessed against the Cor-
poration in such litigation.

PART 1623—SUSPENSION
PROCEDURES

Sec.
1623.1 Purpose.
1623.2 Definitions.
1623.3 Grounds for suspension.
1623.4 Suspension procedures.
1623.5 Time extensions and waiver.
1623.6 Interim funding.

AUTHORITY: 42 U.S.C. 2996e(b)(1), 2996f(a)(3),
and 2996f(d); Pub. L. 105–119, Title V, Secs.
501(b), 502, and 503, 111 Stat. 2440, 2510–11;
Pub. L. 104–134, Title V, Secs. 503(f) and
509(c), 110 Stat. 1321, 1321–53, 1321–58, and
1321–59.

SOURCE: 78 FR 10098, Feb. 13, 2013, unless
otherwise noted.

§ 1623.1 Purpose.
The purpose of this rule is to:
(a) Ensure that the Corporation is
able to take prompt action when nec-
essary to safeguard LSC funds or to en-
sure the compliance of a recipient with
applicable provisions of law, or a rule,
regulation, guideline or instruction
issued by the Corporation, or the terms
and conditions of a recipient’s grant or
contract with the Corporation; and
(b) Provide procedures for prompt re-
view that will ensure informed delib-
eration by the Corporation when it has
made a proposed determination that fi-
nancial assistance to a recipient should
be suspended.

§ 1623.2 Definitions.
For the purposes of this part the defi-
nitions in 45 CFR part 1606 shall apply
and also:
Suspension means an action taken
during the term of the recipient’s cur-
rent year’s grant or contract with the
Corporation that withholds financial
assistance to a recipient, in whole or in
part, until the end of the suspension
period pending prompt corrective ac-
tion by the recipient or a decision by
the Corporation to initiate termina-

§ 1623.3 Grounds for suspension.
(a) Financial assistance provided to a
recipient may be suspended when the
Corporation determines that there has
been a substantial violation by the re-
cipient of the LSC requirements, and
the Corporation has reason to believe
that prompt action is necessary to:
(1) Safeguard LSC funds; or
(2) Ensure immediate corrective ac-
tion necessary to bring a recipient into
compliance with an applicable provi-
sion of law, or a rule, regulation, guide-
line or instruction issued by the Cor-
poration, or the terms and conditions
of the recipient’s grant or contract
with the Corporation.
(b) Financial assistance provided to a
recipient may also be suspended by the
Corporation pursuant to a rec-
ommendation by the Office of Inspec-
tor General when the recipient has
failed to have an acceptable audit in
accordance with the guidance promul-
gated by the Corporation’s Office of In-
spector General.

§ 1623.4 Suspension procedures.
(a) Prior to a preliminary determina-
tion involving a suspension of funding,
the Corporation shall designate either
the President or another senior Cor-
poration employee to conduct any final
review that is requested pursuant this
part. The Corporation shall ensure that
the person so designated has had no
prior involvement in the proceedings
under this part so as to meet the cri-
terion of impartiality described in this
section.
(b) When the Corporation has made a
proposed determination, based on the
grounds set out in §1623.3 of this part,
that financial assistance to a recipient

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