

## DEPARTMENT OF JUSTICE

## Bureau of Prisons

## 28 CFR Part 524

[BOP-1067-F]

RIN 1120-AA63

## Progress Reports: Triennial Preparation

AGENCY: Bureau of Prisons, Justice.

ACTION: Final rule.

**SUMMARY:** The Bureau of Prisons is amending its regulations on progress reports to require that progress reports for designated inmates be prepared at least once every 36 months. The purpose of this change is to streamline operations at Bureau facilities while continuing to provide appropriate program services to inmates.

**EFFECTIVE DATE:** March 16, 1998.

**ADDRESSES:** Rules Unit, Office of General Counsel, Bureau of Prisons, HOLC Room 754, 320 First Street, NW., Washington, DC 20534.

**FOR FURTHER INFORMATION CONTACT:** Roy Nanovic, Office of General Counsel, Bureau of Prisons, phone (202) 514-6655.

**SUPPLEMENTARY INFORMATION:** The Bureau of Prisons is amending its regulations on progress reports (28 CFR part 524, subpart E). A proposed rule on this subject was published in the **Federal Register** on March 5, 1997 (62 FR 10164).

Progress reports are used to maintain current information on an inmate such as his/her institutional adjustment, program participation, and readiness for release. Paragraph (e) of § 524.41 had

previously specified that a progress report shall be prepared on each federal inmate at least once every 24 months, if for no other reason than to update report information. This paragraph was amended in 1995 to allow for a triennial rather than biennial progress report for inmates at independent camps. This amendment allowed the Bureau to allocate staff resources at independent camps in a more efficient manner. In order to extend such streamlining of operations to its other facilities, the Bureau proposed to require that a progress report be prepared on each designated inmate at least once every 36 months if not previously generated for another reason required by § 524.41. No comment was received on the proposed rule. The Bureau is therefore adopting the proposed rule as final without change.

Members of the public may submit further comments concerning this rule by writing to the previously cited address. These comments will be considered but will receive no response in the **Federal Register**.

The Bureau of Prisons has determined that this rule is not a significant regulatory action for the purpose of E.O. 12866, and accordingly was not reviewed by the Office of Management and Budget. After review of the law and regulations, the Director, Bureau of Prisons has certified that this rule, for the purpose of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), does not have a significant impact on a substantial number of small entities. Because this rule pertains to the correctional management of offenders committed to the custody of the Attorney General or the Director of the Bureau of Prisons, its

economic impact is limited to the Bureau's appropriated funds.

## List of Subjects in 28 CFR Part 524

Prisoners.

Kathleen M. Hawk,

Director, Bureau of Prisons.

Accordingly, pursuant to the rulemaking authority vested in the Attorney General in 5 U.S.C. 552(a) and delegated to the Director, Bureau of Prisons in 28 CFR 0.96(p), part 524 in subchapter B of 28 CFR, chapter V is amended as set forth below.

## SUBCHAPTER B—INMATE ADMISSION, CLASSIFICATION, AND TRANSFER

## PART 524—CLASSIFICATION OF INMATES

1. The authority citation for 28 CFR part 524 continues to read as follows:

**Authority:** 5 U.S.C. 301; 18 U.S.C. 3521-3528, 3621, 3622, 3624, 4001, 4042, 4046, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 5006-5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 21 U.S.C. 848; 28 U.S.C. 509, 510; 28 CFR 0.95-0.99.

2. In § 524.41, paragraph (e) is revised to read as follows:

## § 524.41 Types of progress reports.

\* \* \* \* \*

(e) *Triennial report*—prepared on each designated inmate at least once every 36 months if not previously generated for another reason required by this section.

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