

**DEPARTMENT OF JUSTICE****Bureau of Prisons****28 CFR Part 504**

BOP-1075-F

RIN 1120-AA71

**Acceptance of Donations**

AGENCY: Bureau of Prisons, Justice.

ACTION: Final rule.

**SUMMARY:** In this document, the Bureau of Prisons is removing from the Code of Federal Regulations obsolete regulations concerning the acceptance of donations.

**EFFECTIVE DATE:** April 8, 1999.

**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 removing its regulations on the acceptance of donations (28 CFR part 504). A final rule on this subject was published in the **Federal Register** September 22, 1989 (54 FR 39094) and was amended November 17, 1993 (58 FR 60768).

Authority to accept donations for use by the Bureau of Prisons or Federal Prison Industries, Inc. was delegated by the Attorney General to the Director of the Bureau of Prisons in 28 CFR 0.96(s). This delegation was rescinded on January 28, 1999 (64 FR 4295). The Bureau is accordingly removing its regulations on the subject.

Because an immediate rescission is required pursuant to the change in delegated authority, the Bureau finds good cause for exempting the provisions of the Administrative Procedure Act (5 U.S.C. 553) requiring notice of proposed rulemaking, the opportunity for public comment, and delay in effective date. Members of the public may submit

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**.

**Executive Order 12866**

This rule falls within a category of actions that the Office of Management and Budget (OMB) has determined not to constitute "significant regulatory actions" under section 3(f) of Executive Order 12866 and, accordingly, it was not reviewed by OMB.

**Executive Order 12612**

This regulation will not have substantial direct effects on the States, on the relationship between the national government and the States, or on distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

**Regulatory Flexibility Act**

The Director of the Bureau of Prisons, in accordance with the Regulatory Flexibility Act (5 U.S.C. 605(b)), has reviewed this regulation and by approving it certifies that this regulation will not have a significant economic impact upon a substantial number of small entities for the following reasons: 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, and its economic impact is limited to the Bureau's appropriated funds.

**Unfunded Mandates Reform Act of 1995**

This rule will not result in the expenditure by State, local and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more in any one year, and it will not significantly or uniquely affect small

governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

**Small Business Regulatory Enforcement Fairness Act of 1996**

This rule is not a major rule as defined by § 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This rule will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

**Plain Language Instructions**

We try to write clearly. If you can suggest how to improve the clarity of these regulations, call or write Roy Nanovic, Rules Unit, Office of General Counsel, Bureau of Prisons, 320 First St., Washington, DC 20534; telephone (202) 514-6655.

**List of Subjects in 28 CFR Part 504**

Administrative practice and procedure, Prisoners.

**Kathleen Hawk Sawyer,**  
*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(o), subchapter A of 28 CFR, chapter V is amended as set forth below.

**SUBCHAPTER A—GENERAL MANAGEMENT AND ADMINISTRATION****PART 504—[REMOVED]**

1. In 28 CFR Subchapter A, Part 504 is removed.

[FR Doc. 99-8681 Filed 4-7-99; 8:45 am]

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