

DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Part 551

[BOP-1077-F]

RIN 1120-AA73

Non-Discrimination Toward Inmates

AGENCY: Bureau of Prisons, Justice.

ACTION: Final Rule.

SUMMARY: In this document, the Bureau of Prisons is revising its regulations on non-discrimination toward inmates for the sake of improved clarity of expression. This revision reaffirms that Bureau staff shall not discriminate against inmates on the basis of race, religion, national origin, sex, disability, or political belief. This includes the making of administrative decisions and providing access to work, housing and programs.

EFFECTIVE DATE: October 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 non-discrimination toward inmates (28 CFR part 551, subpart I). A final rule on this subject was published in the **Federal Register** April 4, 1980 (45 FR 23366) and was amended April 6, 1994 (59 FR 16406).

The Bureau's regulations previously stated that inmates may not be discriminated against on the basis of race, religion, nationality, sex, disability, or political belief, and that each Warden shall ensure that administrative decisions and work, housing, and program assignments are non-discriminatory. The Bureau is revising its regulations in order to restate the provisions in an active voice. The revised regulations make more clear the Bureau's intent that all staff are responsible for ensuring that their actions are in compliance. In restating the provisions in this manner, it is no longer necessary for the rules to identify the Warden as the person responsible for ensuring compliance. The Bureau's internal administrative procedures are sufficient to assure that the Warden is responsible for the institution's operations. With respect to the bases of discriminations, the Bureau has replaced the term "nationality" with the phrase "national origin".

Because this amendment is editorial in nature and does not change the intent of the previous regulations, 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**.

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. After review of the law and regulations, the Director, Bureau of Prisons certifies that this rule, for the purpose of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), does not have a significant economic impact on a substantial number of small entities, within the meaning of the Act. 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 551

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(p), part 551 in subchapter C of 28 CFR, chapter V is amended as set forth below.

SUBCHAPTER C—INSTITUTIONAL MANAGEMENT**PART 551—MISCELLANEOUS**

1. The authority citation for 28 CFR 551 continues to read as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 1512, 3621, 3622, 3624, 4001, 4005, 4042, 4081, 4082 (Repealed in part as to offenses committed on or after November 1, 1987), 4161-4166 (Repealed as to offenses committed on or after November 1, 1987), 5006-5024 (Repealed October 12, 1984 as to offenses committed after that date), 5039; 28 U.S.C. 509, 510; Pub. L. 99-500 (sec. 209); 28 CFR 0.95-0.99; Attorney General's August 6, 1991 Guidelines for Victim and Witness Assistance.

2. Subpart I of 28 CFR part 551 is revised to read as follows:

Subpart I—Non-Discrimination Toward Inmates**§ 551.90 Policy.**

Bureau staff shall not discriminate against inmates on the basis of race, religion, national origin, sex, disability, or political belief. This includes the making of administrative decisions and providing access to work, housing and programs.

[FR Doc. 98-27879 Filed 10-15-98; 8:45 am]

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DEPARTMENT OF JUSTICE

Bureau of Prisons

28 CFR Parts 500 and 503

RIN-1120-AA82

[BOP-1087-F]

Bureau of Prisons Central Office, Regional Offices, Institutions, and Staff Training Centers

AGENCY: Bureau of Prisons, Justice.

ACTION: Final Rule.

SUMMARY: In this document, the Bureau of Prisons is revising the listing of its Central Office, Regional Offices, institutions, and staff training centers in order to designate new institutions and to rename or realign existing institutions. The definition of "institution" is also being revised to reflect the various types of institutions currently in operation.

EFFECTIVE DATE: October 16, 1998.

ADDRESSES: 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 revising its listing of Bureau of Prisons Central Office, Regional Offices, institutions, and staff training centers (28 CFR Part 503) which was published in the **Federal Register** on July 23, 1990 (55 FR 29990) and amended July 10, 1991 (56 FR 31531), November 12, 1992 (57 FR 53822) and August 20, 1993 (58 FR 44428).

This listing is being revised to reflect the opening of the following new Federal Correctional Institutions: Butner (Low), North Carolina; Beckley, West Virginia; Cumberland, Maryland; Elkton, Ohio; Edgefield, South Carolina; Forrest City, Arkansas; Waseca, Minnesota; Yazoo City, Mississippi; Greenville, Illinois; and Pekin, Illinois;

to designate new Federal Correctional Complexes at Beaumont, Texas (High, Medium, Low, and Administrative); Coleman, Florida (Medium, Low, and Administrative); and Florence, Colorado (Administrative Maximum (ADMAX), High, and Medium); to designate new Federal Medical Centers at Carswell, Texas; Devens, Massachusetts; to designate new Federal Detention Centers at SeaTac, Washington; Miami, Florida; and to designate a new Federal Transfer Center at Oklahoma City, Oklahoma.

This listing is also being revised to reflect the closing of the Federal Medical Center at Carville, Louisiana; and the Federal Prison Camp at Tyndall, Florida; the change in mission of the Federal Correction Institution at Ft. Worth, Texas to a Federal Medical Center at Ft. Worth, Texas; the Federal Prison Camp at Maxwell Air Force Base is now referred to as the Federal Prison Camp at Montgomery, Alabama; the Metropolitan Correctional Center at Miami, Florida is now referred to as the Federal Correctional Institution at Miami, Florida; the transfer of the Federal Correctional Institution at Memphis, Tennessee, from the Southeast Regional Office to the Mid-Atlantic Regional Office; the Federal Prison Camp at Millington, Tennessee is now part of the Federal Correctional Institution at Memphis, Tennessee; and minor editorial changes.

This listing is also being revised to emphasize the grouping of Bureau of Prisons institutions within Federal Correctional Complexes. Institutions listed under a Federal Correctional Complex (FCC), which may include a penitentiary, federal correctional institution, camp, or administrative facility, are not repeated in the paragraphs that identify facilities by security level. For example, the Federal Correctional Institution (Medium), Allenwood, Pennsylvania, is listed under § 503.2(c) Federal Correctional Complex, but is not listed separately in § 503.2(b) which lists other federal correctional institutions in the Northeast Region.

Finally, the definition of "institution" in 28 CFR 500.1(d) is being revised to reflect new types of institutions such as the Federal Medical Centers and to remove obsolete institutions such as Federal Community Treatment Centers.

Because this rule deals with agency organization and imposes no restrictions upon inmates, the Bureau finds good cause for exemption from 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 the previously cited address. These comments will be considered but will receive no response in the **Federal Register**.

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 has not reviewed by OMB. 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 economic impact on a substantial number of small entities, within the meaning of the Act. Because this rule pertains to agency organization and management, its economic impact is limited to the Bureau's appropriated funds.

List of Subjects

28 CFR Part 500

Definitions.

28 CFR Part 503

Agency organization and functions.

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(p), subchapter A of 28 CFR chapter V is amended as set forth below.

SUBCHAPTER A—GENERAL MANAGEMENT AND ADMINISTRATION

PART 500—GENERAL DEFINITIONS

1. The authority citation for 28 CFR part 500 continues to read as follows:

Authority: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4042, 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; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

2. In § 500.1, paragraph (d) is revised to read as follows:

§ 500.1 Definitions.

* * * * *

(d) *Institution* means a U.S. Penitentiary, a Federal Correctional Institution, a Federal Prison Camp, a Federal Detention Center, a Metropolitan Correctional Center, a Metropolitan Detention Center, a U.S. Medical Center for Federal Prisoners, a

Federal Medical Center, or a Federal Transportation Center.

* * * * *

3. 28 CFR part 503 is revised to read as follows:

PART 503—BUREAU OF PRISONS CENTRAL OFFICE, REGIONAL OFFICES, INSTITUTIONS, AND STAFF TRAINING CENTERS

Sec.

- 503.1 Bureau of Prisons Central Office.
- 503.2 Bureau of Prisons Northeast Regional Office.
- 503.3 Bureau of Prisons Mid-Atlantic Regional Office.
- 503.4 Bureau of Prisons Southeast Regional Office.
- 503.5 Bureau of Prisons North Central Regional Office.
- 503.6 Bureau of Prisons South Central Regional Office.
- 503.7 Bureau of Prisons Western Regional Office.
- 503.8 Bureau of Prisons Staff Training Centers.

Authority: 5 U.S.C. 301; 18 U.S.C. 3621, 3622, 3624, 4001, 4003, 4042, 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; 28 U.S.C. 509, 510; 28 CFR 0.95–0.99.

§ 503.1 Bureau of Prisons Central Office.

The Bureau of Prisons Central Office is located at 320 First Street NW., Washington, DC 20534.

§ 503.2 Bureau of Prisons Northeast Regional Office.

The Bureau of Prisons Northeast Regional Office is located at U.S. Customs House, 7th Floor, 2nd and Chestnut Street, Philadelphia, Pennsylvania 19106. The following institutions are located within this region.

(a) United States Penitentiary (USP) Lewisburg, Pennsylvania 17837.

(b) Federal Correctional Institutions (FCI):

- (1) FCI Danbury, Connecticut 06811–3099;
- (2) FCI Fairton, New Jersey 08320;
- (3) FCI Fort Dix, New Jersey 08640;
- (4) FCI Loretto, Pennsylvania 15940;
- (5) FCI McKean, Pennsylvania 16701;
- (6) FCI Otisville, New York 10963;
- (7) FCI Ray Brook, New York 12977;
- (8) FCI Schuylkill, Pennsylvania 17954.

(c) Federal Correctional Complex (FCC):

- (1) USP Allenwood (High), Pennsylvania 17887;
- (2) FCI Allenwood (Medium), Pennsylvania 17887;
- (3) FCI Allenwood (Low), Pennsylvania 17887;
- (4) FPC Allenwood, Pennsylvania 17752.

(d) Metropolitan Detention Center (MDC) Brooklyn, New York 11232.
 (e) Metropolitan Correctional Center (MCC) New York, New York 10007.
 (f) Federal Medical Center (FMC) Devens, Massachusetts 10432.

§ 503.3 Bureau of Prisons Mid-Atlantic Regional Office.

The Bureau of Prisons Mid-Atlantic Regional Office is located at Junction Business Park, 10010 Junction Drive, Suite 100N, Annapolis Junction, Maryland 20701. The following institutions are located within this region.

- (a) United States Penitentiary (USP) Terre Haute, Indiana 47808.
 (b) Federal Correctional Institutions (FCI):
 (1) FCI Ashland, Kentucky 41101;
 (2) FCI Beckley, West Virginia 25813;
 (3) FCI Butner (Medium), North Carolina 27509;
 (4) FCI Butner (Low), North Carolina 27509-1000;
 (5) FCI Cumberland, Maryland 21502;
 (6) FCI Elkton, Ohio 44415;
 (7) FCI Manchester, Kentucky 40962;
 (8) FCI Memphis, Tennessee 38134-7690;
 (9) FCI Milan, Michigan 48160;
 (10) FCI Morgantown, West Virginia 26505;
 (11) FCI Petersburg, Virginia 23804-1000.
 (c) Federal Prison Camps (FPC):
 (1) FPC Alderson, West Virginia 24910;
 (2) FPC Seymour Johnson, North Carolina 27531-5000.
 (d) Federal Medical Center (FMC) Lexington, Kentucky 41101.

§ 503.4 Bureau of Prisons Southeast Regional Office.

The Bureau of Prisons Southeast Regional Office is located at 3800 North Camp Creek Parkway, SW., Building 2000, Atlanta, GA 30331-5099. The following institutions are located within this region.

- (a) United States Penitentiary (USP) Atlanta, Georgia 30315-0182.
 (b) Federal Correctional Institutions (FCI):
 (1) FCI Edgefield, South Carolina 29824;
 (2) FCI Estill, South Carolina 29918;
 (3) FCI Jesup, Georgia 31599;
 (4) FCI Marianna, Florida 32446;
 (5) FCI Miami, Florida 33177;
 (6) FCI Talladega, Alabama 35160;
 (7) FCI Tallahassee, Florida 32301;
 (8) FCI Yazoo City, Mississippi 39194.
 (c) Federal Correctional Complex (FCC):
 (1) FCI Coleman (Medium), Florida 33521-8997;

- (2) FCI Coleman (Low), Florida 33521-8999;
 (3) FCC Coleman (Administrative), Florida 33521-1029.
 (d) Federal Prison Camps (FPC):
 (1) FPC Eglin, Florida 32542;
 (2) FPC Montgomery, Alabama 36112;
 (3) FPC Pensacola, Florida 32509-0001.
 (e) Federal Detention Center (FDC) Miami, Florida 33177.
 (f) Metropolitan Detention Center (MDC) Guaynabo, Puerto Rico 00922-2146.

§ 503.5 Bureau of Prisons North Central Regional Office.

The Bureau of Prisons North Central Regional Office is located at Gateway Complex, Inc., Tower II, 8th Floor, 4th and State Avenue, Kansas City, Kansas 6610-2492. The following institutions are located within this region.

- (a) United States Penitentiaries (USP):
 (1) USP Leavenworth, Kansas 66048;
 (2) USP Marion, Illinois 62959.
 (b) Federal Correctional Institutions (FCI):
 (1) FCI Englewood, Colorado 80123;
 (2) FCI Greenville, Illinois 62246;
 (3) FCI Oxford, Wisconsin 53952-0500;
 (4) FCI Pekin, Illinois 61555-7000;
 (5) FCI Sandstone, Minnesota 55072;
 (6) FCI Waseca, Minnesota 56093.
 (c) Federal Correctional Complex (FCC):
 (1) USP (ADMAX) Florence, Colorado 81226;
 (2) USP Florence (High), Colorado 81226;
 (3) FCI Florence (Medium), Colorado 81226.
 (d) Federal Prison Camps (FPC):
 (1) FPC Duluth, Minnesota 55814;
 (2) FPC Yankton, South Dakota 57078.
 (e) U.S. Medical Center for Federal Prisoners (USMCFP) Springfield, Missouri 65808.
 (f) Federal Medical Center (FMC) Rochester, Minnesota 55903-4600.
 (g) Metropolitan Correctional Center (MCC) Chicago, Illinois 60605.

§ 503.6 Bureau of Prisons South Central Regional Office.

The Bureau of Prisons South Central Regional Office is located at 4211 Cedar Springs Road, Suite 300, Dallas, Texas 75219. The following institutions are located within this region.

- (a) Federal Correctional Institutions (FCI):
 (1) FCI Bastrop, Texas 78602;
 (2) FCI Big Spring, Texas 79720-7799;
 (3) FCI El Reno, Oklahoma 73036-1000;
 (4) FCI Forrest City, Arkansas 72336;
 (5) FCI La Tuna, Texas 88021;

- (6) FCI Oakdale, Louisiana 71463;
 (7) FCI Seagoville, Texas 75159;
 (8) FCI Texarkana, Texas 75505;
 (9) FCI Three Rivers, Texas 78071.
 (b) Federal Correctional Complex (FCC):
 (1) USP Beaumont (High), Texas 77720-6035;
 (2) FCI Beaumont (Low), Texas 77720-6025;
 (3) FCC Beaumont (Administrative), Texas 77720-6015.
 (c) Federal Prison Camps (FPC):
 (1) FPC Bryan, Texas 77803;
 (2) FPC El Paso, Texas 79906-0300.
 (d) Federal Medical Center (FMC):
 (1) FMC Carswell, Texas 76127;
 (2) FMC Fort Worth, Texas 76119-5996.
 (e) Federal Detention Center (FDC) Oakdale, Louisiana 71463.
 (f) Federal Transportation Center (FTC) Oklahoma City, Oklahoma 73189-8802.

§ 503.7 Bureau of Prisons Western Regional Office.

The Bureau of Prisons Western Regional Office is located at 7950 Dublin Boulevard, 3rd Floor, Dublin, California 94568. The following institutions are located within this region.

- (a) United States Penitentiary (USP) Lompoc, California 93436.
 (b) Federal Correctional Institutions (FCI):
 (1) FCI Dublin, California 94568;
 (2) FCI Lompoc, California 93436;
 (3) FCI Phoenix, Arizona 85027;
 (4) FCI Safford, Arizona 85548;
 (5) FCI Sheridan, Oregon 97378-9601;
 (6) FCI Terminal Island, California 90731;
 (7) FCI Tucson, Arizona 85706.
 (c) Federal Prison Camps (FPC):
 (1) FPC Boron, California 93596;
 (2) FPC Nellis, Nevada 89036-5000.
 (d) Metropolitan Correctional Center (MCC) San Diego, California 92101-6078.
 (e) Metropolitan Detention Center (MDC) Los Angeles, California 90012-1500.
 (f) Federal Detention Center (FDC) SeaTac, Washington 98168.

§ 503.8 Bureau of Prisons Staff Training Centers.

The Bureau of Prisons Staff Training Centers are located at:

- (a) Federal Law Enforcement Training Center, Building 21, Glynco, Georgia 31524;
 (b) Management and Speciality Training Center, 791 Chambers Road, Aurora, Colorado 80011;
 (c) National Legal Training Center, 791 Chambers Road, Aurora, Colorado 80011;

(d) Food Service and Trust Fund
Training Center, c/o FCI, Fort Worth,
Texas 76119.

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