

with the duty of reviewing the recommended decision of the hearing examiner who conducts a parole hearing, and with casting the vote that forms a panel recommendation to the Regional Commissioner. The current regulation refers to this official as the Regional Administrator. In anticipation of the closing of the U.S. Parole Commission's regional offices and the consolidation of its operational staff, the title of Regional Administrator is changed to Executive Hearing Examiner. **EFFECTIVE DATE:** January 31, 1996.

FOR FURTHER INFORMATION CONTACT: Pamela A. Posch, Office of General Counsel, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Maryland 20815. Telephone (301) 492-5959.

SUPPLEMENTARY INFORMATION: With the anticipated elimination of the U.S. Parole Commission's regional office structure, it will be necessary for the Commission to change the title, and some of the administrative functions, of the senior hearing examiners who currently serve as Regional Administrators. However, for the decisionmaking function described at 28 CFR 2.23, the role of the Regional Administrator will not change. Thus, the substitution of the title Executive Hearing Examiner for "Regional Administrator" in 28 CFR 2.23 reflects agency structural changes that are outside the scope of the function described by that regulation. The Executive Hearing Examiner will continue to provide, for each case to be decided by the Commission, the review and participation of a senior hearing examiner before a panel recommendation is finalized.

Implementation

This rule change will take effect upon the anticipated closing of the Commission's regional office, and the consolidation of agency operational staff at the Commission's Chevy Chase, Maryland Headquarters. Thereafter, Regional Commissioners will continue to decide cases arising in each Commissioner's respective region. However, Regional Commissioners will be served by a centralized operations staff.

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant rule within the meaning of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant

economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

Accordingly, the U.S. Parole Commission adopts the following amendment to 28 CFR part 2:

Text of the Final Rule

PART 2—[AMENDED]

(1) The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

§ 2.23 [Amended]

(2) 28 CFR Part 2, § 2.23 is amended by deleting the words "Regional Administrator" and substituting "Executive Hearing Examiner" wherever the words "Regional Administrator" appear.

Dated: September 21, 1995.

Jasper R. Clay, Jr.,

Vice Chairman, U.S. Parole Commission.

[FR Doc. 95-24195 Filed 9-29-95; 8:45 am]

BILLING CODE 4410-01-P

28 CFR Part 2

Paroling, Recommitting, and Supervising Federal Prisoners: Modification of Parole Conditions

AGENCY: Parole Commission, Justice.

ACTION: Final rule.

SUMMARY: The U.S. Parole Commission is revising the regulation that describes the statutory procedure that the Commission must follow whenever it changes a parolee's conditions of parole. The current regulation omits reference to an important exception to the statutory requirement that each parolee be given ten days to comment on any modification of the conditions of parole before it goes into effect. The Commission may waive the ten-day notice procedure when it determines that an immediate modification of the conditions of parole is necessary to prevent harm to the parolee or the public. Although the Commission presently has the statutory authority to apply this exception, and does so when circumstances warrant, the Commission has determined that its regulation should be amended to describe this authority.

EFFECTIVE DATE: November 1, 1995.

FOR FURTHER INFORMATION CONTACT: Pamela A. Posch, Office of General

Counsel, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Maryland 20815. Telephone (301) 492-5959.

SUPPLEMENTARY INFORMATION: In 1976, Congress enacted 18 U.S.C. 4209, which authorizes the Commission to impose conditions of parole, and to modify those conditions provided that notice is given to the parolee, and ten days to provide comment, before such modification takes effect. The ten-day notice provision could only be waived following a revocation hearing, or in response to a request by the parolee. In 1986, Congress amended 18 U.S.C. 4209 to permit the Parole Commission to waive the ten-day notice provision whenever necessary to prevent immediate harm to the parolee or the public.

The Parole Commission has made use of that statutory authority to order modifications of parole conditions when urgently needed to protect the public safety. However, the Commission did not amend its regulation at 28 CFR 2.40(g), in order to update the description of the Commission's statutory authority that is contained in that regulation. The revised regulation promulgated herein corrects that omission.

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant rule within the meaning of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

Accordingly, the U.S. Parole Commission adopts the following amendment to 28 CFR Part 2:

PART 2—[AMENDED]

1. The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

2. 28 CFR Part 2, § 2.40(g) is revised to read as follows:

§ 2.40 Conditions of release.

* * * * *

(g) The ten-day notice provision of paragraph (b) of this section shall not

apply to a modification of the conditions of parole

(1) Following a revocation hearing,

(2) Upon a finding that immediate modification of the conditions of parole is required to prevent harm to the parolee or the public, or

(3) In response to a request by the parolee under paragraph (f) of this section.

* * * * *
Dated: September 21, 1995.

Jasper R. Clay, Jr.,

Vice Chairman, U.S. Parole Commission.

[FR Doc. 95-24196 Filed 9-29-95; 8:45 am]

BILLING CODE 4410-01-P

28 CFR Part 2

Paroling, Recommitting, and Supervising Federal Prisoners: Pre-Release Reviews of Parole Dates

AGENCY: Parole Commission, Justice.

ACTION: Final rule.

SUMMARY: The U.S. Parole Commission is changing the definition of the term "effective date of parole" to refer to a parole that has been given final approval, without further review, within nine months of the prisoner's scheduled release. Under the current rule, the final review and approval of a parole date can only occur within six months of the prisoner's release. Until such final review and approval, a parole date is presumptive only. The purpose of this rule change is to streamline the review process, and to avoid delays in the release planning efforts of prison staff. It does not otherwise change the paroling practices of the Commission.

EFFECTIVE DATE: November 1, 1995.

FOR FURTHER INFORMATION CONTACT: Pamela A. Posch, Office of General Counsel, U.S. Parole Commission, 5550 Friendship Blvd., Chevy Chase, Maryland 20815. Telephone (301) 492-5959.

SUPPLEMENTARY INFORMATION: Under the federal parole system, an eligible prisoner (*i.e.*, a prisoner whose crime was committed prior to November 1, 1987), may be given a presumptive parole date up to fifteen years in advance. The date is "presumptive" because it is subject to periodic interim hearings under 18 U.S.C. 4208(h), and to a final pre-release review and approval six months prior to the scheduled release of the prisoner. 28 CFR 2.14(b).

The Bureau of Prisons submits a progress report on each prisoner who has a presumptive parole date, six to nine months in advance of that date. Because 28 CFR 2.1(h) requires the

Commission to delay its review until 180 days prior to the date, delays can occur in the release planning efforts of Bureau of Prisons staff. In order to avoid such delays, the Commission has decided to amend 28 CFR 2.1(h) to permit the Commission to convert a presumptive date of parole to an effective date of parole (*i.e.*, a parole date that is not subject to further review) nine months prior to that date. Certain other rules are also amended, in order to conform with this change.

Executive Order 12866 and Regulatory Flexibility Statement

The U.S. Parole Commission has determined that this rule is not a significant rule within the meaning of Executive Order 12866, and the rule has, accordingly, not been reviewed by the Office of Management and Budget. The rule will not have a significant economic impact upon a substantial number of small entities, within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 605(b).

List of Subjects in 28 CFR Part 2

Administrative practice and procedure, Probation and parole, Prisoners.

Accordingly, the U.S. Parole Commission adopts the following amendments to 28 CFR Part 2:

The Final Rule

PART 2—[AMENDED]

1. The authority citation for 28 CFR Part 2 continues to read as follows:

Authority: 18 U.S.C. 4203(a)(1) and 4204(a)(6).

2. 28 CFR Part 2, § 2.1(h) is revised to read as follows:

§ 2.1 Definitions.

* * * * *

(h) The term *effective date of parole* refers to a parole date that has been approved following an in-person hearing held within nine months of such date, or following a pre-release record review.

* * * * *

§ 2.12 [Amended]

3. 28 CFR Part 2, § 2.12(a) is amended by substituting "nine months" for "six months."

§ 2.14 [Amended]

4. 28 CFR Part 2, § 2.14(a)(1)(ii) is amended by substituting "nine months" for "six months" wherever the latter words occur.

5. 28 CFR Part 2, § 2.14(a)(2)(iv) is amended by substituting "nine months" for "six months."

6. 28 CFR Part 2, § 2.14(b)(3) is amended by substituting "nine months" for "six months" wherever the latter words occur.

§ 2.29 [Amended]

7. 28 CFR Part 2, § 2.29(b) is amended by substituting "nine months" for "six months."

Dated: September 21, 1995.

Jasper R. Clay, Jr.,

Vice Chairman, U.S. Parole Commission.

[FR Doc. 95-24194 Filed 9-29-95; 8:45 am]

BILLING CODE 4410-01-P

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Part 1602

Records and Reports

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice of extension of deadline for filing report.

SUMMARY: Notice is hereby given that the deadline for filing the 1995 State and Local Government Information Report (EEO-4) required by 29 CFR 1602.32 is extended from September 30, 1995 to October 31, 1995. There is no change in the reference period used for information reported (*i.e.*, payroll period which includes June 30, 1995).

EFFECTIVE DATE: October 2, 1995.

FOR FURTHER INFORMATION CONTACT: Joachim Neckere, Director, Program Research and Surveys Division, at (202) 663-4958 (voice) or (202) 663-7063 (TDD).

For the Commission.

Dated: September 26, 1995.

Gilbert F. Casellas,

Chairman.

[FR Doc. 95-24432 Filed 9-29-95; 8:45 am]

BILLING CODE 6750-01-M

29 CFR Part 1602

Records and Reports

AGENCY: Equal Employment Opportunity Commission.

ACTION: Notice of extension of deadline for filing report.

SUMMARY: Notice is hereby given that the deadline for filing the 1995 Employer Information Report (EEO-1) required by 29 CFR 1602.7 is extended from September 30, 1995 to October 31, 1995. There is no change in the reference period used for information reported (*i.e.*, third quarter of the