

**§ 513.66 Denials and appeals of Freedom of Information Act requests.**

If a request made pursuant to the Freedom of Information Act is denied in whole or in part, a denial letter must be issued and signed by the Director or his or her designee, and shall state the basis for denial under § 513.32. The requester who has been denied such access shall be advised that he or she may appeal that decision to the Office of Information and Privacy, U.S. Department of Justice, Suite 570, Flag Building, Washington, D.C. 20530. Both the envelope and the letter of appeal itself should be clearly marked: "Freedom of Information Act Appeal."

**§ 513.67 Fees for Freedom of Information Act requests.**

Fees for copies of records disclosed under the FOIA, including fees for a requester's own records, may be charged in accordance with Department of Justice regulations contained in 28 CFR 16.10.

**§ 513.68 Time limits for responses to Freedom of Information Act requests.**

Consistent with sound administrative practice and the provisions of 28 CFR 16.1, the Bureau strives to comply with the time limits set forth in the Freedom of Information Act.

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**DEPARTMENT OF JUSTICE****Bureau of Prisons****28 CFR Part 522**

[BOP-1041-F]

RIN 1120-AA45

**Unescorted Transfers and Voluntary Surrenders**

**AGENCY:** Bureau of Prisons, Justice.

**ACTION:** Final rule.

**SUMMARY:** In this document, the Bureau of Prisons is revising its regulations on voluntary surrender commitments and transfers in order to make an editorial change in the heading of the subpart and to update statutory citations.

**EFFECTIVE DATE:** December 9, 1996.

**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 amending its regulations on Voluntary Surrender Commitments and Transfers to Bureau of Prisons Facilities. A final rule on this subject was published in the Federal Register June 29, 1979 (44 FR 38245).

Because these regulations pertain to transfers both to Bureau and to nonfederal facilities, it is more accurate to entitle the regulations as Unescorted Transfers and Voluntary Surrenders. The only other change to the regulation is the inclusion of a reference to 18 U.S.C. 3622, which is the statutory authority applicable to inmates convicted of committing an offense which occurred on or after November 1, 1987.

Because these changes are editorial in nature and have no adverse impact upon inmates, 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.

The Bureau of Prisons has determined that this rule is not a significant regulatory action for the purpose of E.O. 12866, and accordingly this rule 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 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 522

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 522 in subchapter B of 28 CFR, chapter V is amended as set forth below.

**SUBCHAPTER B—INMATE ADMISSION, CLASSIFICATION, AND TRANSFER****PART 522—ADMISSION TO INSTITUTION**

1. The authority citation for 28 CFR part 522 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), 4161-4166 (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. Subpart D, consisting of § 522.30, is revised to read as follows:

**Subpart D—Unescorted Transfers and Voluntary Surrenders**

Sec.

522.30 Purpose and scope.

**Subpart D—Unescorted Transfers and Voluntary Surrenders****§ 522.30 Purpose and scope.**

When the court orders or recommends an unescorted commitment to a Bureau of Prisons institution, the Bureau of Prisons authorizes the commitment and designates the institution for service of sentence. The Bureau of Prisons also authorizes furlough transfers of inmates between Bureau of Prisons institutions or to nonfederal institutions in appropriate circumstances in accordance with 18 U.S.C. 3622 or 4082, and within the guidelines of the Bureau of Prisons policy on furloughs, which allows inmates to travel unescorted and to report voluntarily to an assigned institution.

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