

tank system and EWIS ICA, it is no longer practical to align the compliance dates to incorporate those ICA into operator maintenance programs. As a result, the December 16, 2008 compliance date in the fuel tank safety operational rules remains firm, and industry should proceed with the necessary plans to meet this date.

**DATES:** The mandatory compliance date for airline operators to comply with the fuel tank safety operational rules is December 16, 2008.

**FOR FURTHER INFORMATION CONTACT:** Stephen Slotte, ANM-111, Airplane & Flight Crew Interface, Federal Aviation Administration, 1601 Lind Avenue, SW., Renton, WA 98055-4056; telephone (425) 227-2315; facsimile (425) 227-1320, e-mail [steve.slotte@faa.gov](mailto:steve.slotte@faa.gov) (certification rules) or Fred Sobeck, AFS-304, Aircraft Maintenance Division, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-7355; facsimile (202) 267-7335, e-mail [frederick.sobeck@faa.gov](mailto:frederick.sobeck@faa.gov) (operating rules).

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 7, 2001, the FAA issued the "Transport Airplane Fuel Tank System Design Review, Flammability Reduction, and Maintenance and Inspection Requirements" final rule.<sup>1</sup> The operational portion of this rule, called "Fuel Tank Safety Rule," requires operators of affected transport category airplanes to include fuel tank system maintenance and inspection instructions in their existing maintenance programs by a specified date. This final rule also included a Special Federal Aviation Regulation (SFAR) component, called SFAR 88, which applies to design approval holders (DAHs). SFAR 88 requires DAHs, among other things, to develop the fuel tank system maintenance and inspection instructions that operators need to include in their maintenance programs.

On July 30, 2004, the FAA published the "Fuel Tank Safety Compliance Extension (Final Rule) and Aging Airplane Program Update (Request for Comments)" final rule.<sup>2</sup> That action revised the compliance date for fuel tank safety operational rules to December 16, 2008.

On October 6, 2005, the FAA published the "Enhanced Airworthiness Program for Airplane Systems and Fuel

Tank Safety (EAPAS/FTS)" proposal.<sup>3</sup> In that proposed rule, we discussed our intent to coordinate the Instructions for Continued Airworthiness (ICA) for fuel tank system and electrical wiring interconnection systems (EWIS). The intent of this approach is to facilitate a more comprehensive treatment of those ICA and accomplish maintenance instructions at consistent intervals. We also discussed our intent to align the compliance times for incorporation of those ICA into operators' maintenance programs. This would have allowed operators to accomplish their maintenance program revisions for both initiatives at one time.

When we originally drafted the EAPAS/FTS proposal, we aligned the compliance dates at December 16, 2008, assuming we would issue the final rule by mid-2006. This would have allowed operators enough time to meet the 2008 compliance date for both fuel tank system and EWIS ICA. However, we also realized the EAPAS/FTS rulemaking could take longer than expected, so we asked for comments about the possible impact on the compliance times. The comment period for the proposal closed on February 3, 2006. We are currently reviewing the comments to the proposal; we anticipate that we will not issue a final rule that will respond to those comments for several months. If we were to keep the compliance times aligned, we would need to extend the December 16, 2008 date to coincide with the compliance date of the EAPAS final rule. After studying the impact of delays in issuing the October 2005 EAPAS/FTS proposal, and after reviewing the comments related to compliance dates, we have determined that public safety would not be served by extending implementation of the fuel tank safety operational rules beyond the December 16, 2008 date. Also, since adoption of the May 7, 2001 final rule, specifically SFAR 88, DAHs have had enough time to develop the required fuel tank system ICA and make them available to operators.

Therefore, for the reasons stated, we have decided not to maintain the alignment of the fuel tank system and EWIS compliance times specified in the EAPAS/FTS proposal. Today's action gives industry notice that the December 16, 2008 date for compliance with the fuel tank safety operational rules remains firm.

While alignment of the fuel tank system and EWIS ICA compliance dates is no longer practical, coordination of the maintenance tasks contained in the ICA is still desirable and possible.

Therefore, it remains our intent to fully coordinate these tasks to avoid possible conflicts, remove redundancies, and provide maximum efficiency to accomplish them.

We are still evaluating the appropriate compliance date for implementation of the EWIS ICA and will provide that date in the EAPAS final rule.

Issued in Washington, DC, June 29, 2006.

**John M. Allen,**

*Acting Director, Flight Standards Service.*

**Dorenda D. Baker,**

*Acting Director, Aircraft Certification Service.*

[FR Doc. E6-10596 Filed 7-6-06; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF JUSTICE

### Bureau of Prisons

#### 28 CFR Part 511

[BOP Docket No. BOP-1137]

RIN 1120-AB37

#### Possession or Introduction of Personal Firearms Prohibited on the Grounds of Bureau of Prisons Facilities

**AGENCY:** Federal Bureau of Prisons, DOJ.

**ACTION:** Proposed rule.

**SUMMARY:** To help ensure the safe operation of Federal Prisons, this rule proposes prohibiting all persons from possessing or introducing personal firearms, or attempting, aiding, or abetting possession or introduction of personal firearms, on the grounds of Bureau of Prisons facilities, with exceptions for possession of personal firearms: (1) As required in the performance of official law enforcement duties; (2) on Bureau firing ranges by law enforcement personnel, as authorized by the Warden; and (3) in Warden-designated secure locations by Bureau employees who reside on Bureau grounds.

**DATES:** Please submit written comments no later than August 7, 2006.

**ADDRESSES:** Our e-mail address is [BOPRULES@BOP.GOV](mailto:BOPRULES@BOP.GOV). Comments should be submitted to the Rules Unit, Office of General Counsel, Bureau of Prisons, 320 First Street, NW., Washington, DC 20534. You may view an electronic version of this rule at <http://www.regulations.gov>. You may also comment via the Internet to BOP at [BOPRULES@BOP.GOV](mailto:BOPRULES@BOP.GOV) or by using the <http://www.regulations.gov> comment form for this regulation. When submitting comments electronically you must include the BOP Docket No. in the subject box.

<sup>1</sup> 66 FR 23086.

<sup>2</sup> 69 FR 45936.

<sup>3</sup> 70 FR 58508.

**SUPPLEMENTARY INFORMATION:** To help ensure the safe operation of Federal Prisons, this rule proposes prohibiting all persons from possessing or introducing personal firearms, or attempting, aiding, or abetting possession or introduction of personal firearms, on the grounds of Bureau facilities, with the following exceptions: (1) Personal firearms are permitted as required in the performance of official law enforcement duties; (2) Law enforcement personnel are permitted to possess personal firearms on Bureau firing ranges as authorized by the Warden, where continuous possession and control of the firearm is maintained; and (3) An officer or employee of the Bureau who resides on Bureau grounds may store personal firearms in secure locations designated by the Warden. Residences must not be designated as secure location sites for personal firearms storage.

18 U.S.C. 4042(a) gives the Bureau broad authority to “have charge of the management and regulation of all Federal penal and correctional institutions,” to “provide for the safekeeping, care, and subsistence of all” Federal offenders, and to “provide for the protection, instruction, and discipline of all persons charged with or convicted of offenses against the United States.” This provision authorizes the Bureau to issue regulations for the management of its institutions and for the safekeeping and protection of inmates.

Currently, the Bureau’s policy on searching, detaining, and arresting non-inmates requires an easily read sign to be posted at the commonly used entrances into each Bureau facility which indicates that “[i]t is a Federal crime to bring upon the institution grounds any firearm, destructive device, ammunition, other object designed to be used as a weapon, narcotic drug, controlled substance, alcoholic beverage, currency, or any other object without the knowledge and consent of the Warden.” Through this rulemaking, the Bureau proposes to codify this principle.

This regulation is necessary for the following reasons.

- The Bureau needs to clarify that *all* persons are prohibited from bringing personal firearms onto institution grounds, including storing them in motor vehicles driven onto or parked on institution grounds. Storage of personal firearms in motor vehicles is inadequate because vehicle security is easy to compromise, making firearms so stored accessible to inmates working on institution grounds, inmates being released, and members of the public.

- Personal firearms could be obtained by inmates or members of the public and used to injure persons or assist in inmate escapes.

- Prohibiting personal firearms on institution grounds creates a “buffer zone” between the community, where concealed personal firearms may be allowed, and the actual institution facility, where the presence of unauthorized firearms of any type creates a variety of serious potential management and security problems.

- Creating such a “buffer zone” through regulation will increase attention of Bureau staff and others to this prohibition and the attendant risks, and will reduce inadvertent introductions of personal firearms onto institution grounds.

The Law Enforcement Officers Safety Act of 2004 (Pub. L. 108–277) (LEOSA) now exempts qualified current and retired law enforcement officers from State laws that prohibit carrying concealed personal firearms. Bureau staff employed at Federal penal and correctional institutions may qualify under LEOSA to carry concealed personal firearms in public. Therefore, the possible presence of concealed personal firearms on institution grounds is greater now than before LEOSA and the risk to the safety of inmates, Bureau staff, and the public is likewise heightened, as explained above.

Although we highlight the general prohibition on concealed personal firearms on institution grounds, we also recognize that certain exceptions are necessary. Therefore, this rule will permit personal firearms in furtherance of official law enforcement functions. This exception contemplates only “on-duty” situations, such as instances in which local law enforcement officers are required to serve process at a Bureau institution, or when local law enforcement officers, who sometimes carry only personal firearms, are called upon to respond to emergency situations on Bureau grounds.

The second exception in the rule permits law enforcement personnel to possess personal firearms on Bureau firing ranges as authorized by the Warden, where continuous personal possession and control of the firearm is maintained. This exception will allow staff to continue to have a place to safely and appropriately maintain the skills necessary for proper firearm use, as further regulated by local institutions.

The third exception, permitting Bureau staff who reside on Bureau grounds to store personal firearms in secure locations designated by the Warden, other than residences, recognizes that such staff may simply

have no other location to safely store personal firearms outside of Bureau grounds.

To provide more comprehensive institutional security and reduce even further the likelihood that firearms on Bureau grounds will come into the possession of inmates, the Bureau proposes the additional security measures described above.

### Regulatory Flexibility Act

The Director, Bureau of Prisons, in accordance with the Regulatory Flexibility Act, 5 U.S.C. 605(b), has reviewed this rule and, by approving it, certifies that it will not have a significant economic impact on a substantial number of small entities.

### Executive Order 12866

This rule has been drafted and reviewed in accordance with Executive Order 12866, Regulatory Planning and Review, § 1(b), Principles of Regulation. The Director, Bureau of Prisons, has determined that this rule is a “significant regulatory action” under Executive Order 12866, section 3(f), and accordingly this rule has been reviewed by the Office of Management and Budget.

### Executive Order 13132

This rule will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. This rule will only have minor effect on State law enforcement personnel carrying personal firearms who wish to enter upon Bureau grounds. Therefore, in accordance with Executive Order 13132, it is determined that this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement.

### Executive Order 12988

This regulation meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform.

### 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 million 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 section 251 of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 804. This rule will not result in an annual effect on the economy of \$100 million or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

### List of Subjects in 28 CFR Part 511

Prisoners.

Harley G. Lappin,

Director, Bureau of Prisons.

Under rulemaking authority vested in the Attorney General in 5 U.S.C. 301; 28 U.S.C. 509, 510 and delegated to the Director, Bureau of Prisons in 28 CFR 0.96, we propose to amend 28 CFR part 511 as follows.

## SUBCHAPTER A—GENERAL MANAGEMENT AND ADMINISTRATION

### PART 511—GENERAL MANAGEMENT POLICY

1. Revise the authority citation for 28 CFR part 511 to read as follows:

**Authority:** 5 U.S.C. 301; 18 U.S.C. 751, 752, 1791, 1792, 1793, 3050, 3621, 3622, 3624, 4001, 4012, 4042, 4081, 4082 (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. 772, 80th Cong.; 18 U.S.C. 1791 and 4042; Pub. L. 108–277 (18 U.S.C. 926B); 28 CFR part 6.

2. Subpart A is added to read as follows:

#### Subpart A—Personal Firearms

Sec.

511.1 Possession or introduction of personal firearms prohibited on the grounds of Bureau of Prisons facilities.

#### § 511.1 Possession or introduction of personal firearms prohibited on the grounds of Bureau of Prisons facilities.

All persons are prohibited from possessing or introducing personal firearms, or attempting, aiding, or abetting possession or introduction of personal firearms, on the grounds of any Bureau of Prisons (Bureau) facility, with the following exceptions:

(a) Personal firearms are permitted as required in the performance of official law enforcement duties;

(b) Law enforcement personnel are permitted to possess personal firearms

on Bureau firing ranges as authorized by the Warden, provided that continuous personal possession and control of the firearm is maintained; and

(c) An officer or employee of the Bureau who resides on Bureau grounds may store personal firearms in secure locations designated by the Warden. Residences must not be designated as secure location sites for personal firearms storage.

[FR Doc. E6–10601 Filed 7–6–06; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Minerals Management Service

### 30 CFR Parts 206, 210, 216, and 218

RIN 1010–AD20

#### Reporting Amendments

**AGENCY:** Minerals Management Service (MMS), Interior.

**ACTION:** Proposed rule.

**SUMMARY:** The MMS is proposing to amend its existing regulations for reporting production and royalties on oil, gas, coal, and geothermal resources produced on Federal and Indian leases in order to align the regulations with current MMS business practices. These amendments reflect changes that were implemented as a result of a major reengineering of MMS's financial system and other legal requirements.

**DATES:** Comments must be submitted on or before September 5, 2006.

**ADDRESSES:** Address your comments, suggestions, or objections regarding the proposed rule to:

*By Federal eRulemaking Portal.*

Follow the instructions on the Web site at <http://www.regulations.gov>.

*By e-mail.* [mrm.comments@mms.gov](mailto:mrm.comments@mms.gov). Please include “Attn: RIN 1010–AD20” and your name and return address in your Internet message. If you do not receive a confirmation that we have received your Internet message, call the contact person listed below.

*By regular U.S. mail.* Minerals Management Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225.

*By overnight mail or courier.* Minerals Management Service, Minerals Revenue Management, Building 85, Room A–614, Denver Federal Center, West 6th Ave. and Kipling Blvd., Denver, Colorado 80225.

#### FOR FURTHER INFORMATION CONTACT:

Sharron L. Gebhardt, Lead Regulatory Specialist, Minerals Management

Service, Minerals Revenue Management, P.O. Box 25165, MS 302B2, Denver, Colorado 80225; telephone: (303) 231–3211; fax: (303) 231–3781; e-mail: [Sharron.Gebhardt@mms.gov](mailto:Sharron.Gebhardt@mms.gov). The principal authors of this rule are Lorraine Corona, Louise Williams, Richard Adamski, and Paul Knueven of Minerals Revenue Management, MMS, Department of the Interior.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

The MMS implemented integrated reengineered systems on November 1, 2001. This process included a major reengineering of the Minerals Revenue Management (MRM) financial system. The new systems are the core systems support for MMS's implementation of new royalty management business processes for the 21st century. The new systems were developed around new business processes and have been reengineered to be more effective and efficient. The reengineering, as well as changes required by law, resulted in changes to, or elimination of, some forms and requirements. The MMS is proposing to eliminate references in the regulations to forms that are no longer used; however, elimination of these forms by reengineering did not eliminate the requirements for record retention and making the records available to support the payment of royalties, as stated in 30 CFR part 212, Records and Files Maintenance.

The MMS is proposing to amend its regulations to align the regulations with the following changes that were required as a result of reengineering: (1) Aligning the regulations with the updated Form MMS–2014, Report of Sales and Royalty Remittance (approved by the Office of Management and Budget (OMB)); (2) eliminating references in the regulations to report forms, designations, systems, and codes that are no longer applicable; (3) updating references to OMB-approved information collections; (4) revising the due date for production reports submitted electronically; (5) clarifying the requirement for production reporting of inventory on leases and agreements until all production has ceased and all inventory has been disposed of; (6) eliminating references to Federal oil and gas late and incorrect (erroneous) reporting assessments and failure to report; (7) eliminating references to some electronic reporting options that no longer exist as a result of reengineering; and (8) clarifying the reporting requirement for taxpayer identification numbers.