

information that the prisoner has committed new disciplinary infractions.

**DATES:** This regulation is effective August 17, 2021. Comments due on or before October 18, 2021.

**ADDRESSES:** Submit your comments, identified by docket identification number USPC–2021–02 by one of the following methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

2. *Mail:* Office of the General Counsel, U.S. Parole Commission, attention: USPC Rules Group, 90 K Street NE, Washington, DC 20530.

**FOR FURTHER INFORMATION CONTACT:**

Helen H. Krapels, General Counsel, U.S. Parole Commission, 90 K Street NE, Third Floor, Washington, DC 20530, telephone (202) 346–7030. Questions about this publication are welcome, but inquiries concerning individual cases cannot be answered over the telephone.

**SUPPLEMENTARY INFORMATION:** Parole Commission is publishing an interim rule with a request for comments which would permit a single commissioner to reopen the case of a parole eligible DC Code offender and retard the parole effective date for up to 120 days when the Commission receives information that the prisoner has committed new disciplinary infractions. Currently, under 28 CFR 2.86(b), two commissioner votes are needed to take this action. One commissioner can already reopen and retard a case for up to 120 days without a hearing for release planning purposes, *i.e.*, to develop a release plan, or obtain placement in a Residential Re-entry Center, and changing the procedure to one commissioner is consistent with the voting rules for U.S. Code sentenced prisoners. This action, as with other decisions to retard a parole date by a limited period of time without conducting a hearing, allows the Commission the flexibility to take prompt action to impose a short sanction for minor misconduct, but conserve the decision to release the prisoner on parole. With many prisoners transitioning to the community through Residential Re-entry Centers earlier and more frequently, there is a benefit to permitting one commissioner to make the decision to sanction misconduct on the record with minimal disruption to the release planning process.

The Commission is promulgating this rule as an interim rule and is providing a 60-day period for public comment. The amended rule will take effect upon publication in the **Federal Register**.

**Executive Orders 12866 and 13563**

This regulation has been drafted and reviewed in accordance with Executive Order 12866, “Regulation Planning and Review,” section 1(b), Principles of Regulation, and in accordance with Executive Order 13565, “Improving Regulation and Regulatory Review,” section 1(b), General Principles of Regulation. The Commission has determined that this rule is not a “significant regulatory action” under Executive Order 12866, section 3(f), Regulatory Planning and Review, and accordingly this rule has not 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. Under Executive Order 13132, this rule does not have sufficient federalism implications requiring a Federalism Assessment.

**Regulatory Flexibility Act**

This 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).

**Unfunded Mandates Reform Act of 1995**

This rule will not cause State, local, or tribal governments, or the private sector, to spend \$100,000,000 or more in any one year, and they will not significantly or uniquely affect small governments. No action under the Unfunded Mandates Reform Act of 1995 is necessary.

**Small Business Regulatory Enforcement Fairness Act of 1996 (Subtitle E–Congressional Review Act)**

This rule is not a “major rule” as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996 Subtitle E–Congressional Review Act, now codified at 5 U.S.C. 804(2). 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 the ability of United States-based companies to compete with foreign-based companies. Moreover, this is a rule of agency practice or procedure that does not substantially affect the rights or obligations of non-agency parties, and does not come within the meaning of the term “rule” as used in Section

804(3)(C), now codified at 5 U.S.C. 804(3)(C). Therefore, the reporting requirement of 5 U.S.C. 801 does not apply.

**List of Subjects in 28 CFR Part 2**

Administrative practice and procedure, Prisoners, Probation and Parole.

**The Interim Rule**

Accordingly, the U.S. Parole Commission amends 28 CFR part 2 as follows:

**PART 2—[REVISED]**

■ 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. Revise § 2.86 (b) to read as follows:

**§ 2.86 Release on parole; rescission for misconduct.**

\* \* \* \* \*

(b) The Commission may reconsider any grant of parole prior to the prisoner’s actual release on parole, and may advance or retard a parole effective date or rescind a parole date previously granted based upon the receipt of any new and significant information concerning the prisoner including disciplinary infractions. A Commissioner may retard a parole date for disciplinary infractions (*e.g.*, to permit the use of graduated sanctions) for up to 120 days without a hearing, in addition to any retardation ordered under § 2.83(d).

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**Patricia K. Cushwa,**  
*Chairman (Acting), U.S. Parole Commission.*

[FR Doc. 2021–16448 Filed 8–16–21; 8:45 am]

**BILLING CODE 4410–31–P**

**DEPARTMENT OF JUSTICE**

**Parole Commission**

**28 CFR Part 2**

[Docket No. USPC–2021–01]

**Paroling, Recommitting, and Supervising Federal Prisoners: Prisoners Serving Sentences Under the United States and District of Columbia Codes**

**AGENCY:** United States Parole Commission, Justice.

**ACTION:** Interim rule with request for comments.

**SUMMARY:** The United States Parole Commission is revising its regulations to

eliminate a policy of imposing the maximum permissible term of supervised release as a consequence of the revocation of an earlier supervised release term for offenders sentenced under the D.C. Code.

**DATES:** This regulation is effective August 17, 2021. Comments due on or before September 16, 2021.

**ADDRESSES:** Submit your comments, identified by docket identification number USPC–2021–01 by one of the following methods:

1. *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments.

2. *Mail:* Office of the General Counsel, U.S. Parole Commission, attention: USPC Rules Group, 90 K Street NE, Washington, DC 20530.

**FOR FURTHER INFORMATION CONTACT:** Helen H. Krapels, General Counsel, U.S. Parole Commission, 90 K Street NE, Third Floor, Washington, DC 20530, telephone (202) 346–7030. Questions about this publication are welcome, but inquiries concerning individual cases cannot be answered over the telephone.

**SUPPLEMENTARY INFORMATION:** Since 2000, the Commission has maintained a general policy at 28 CFR 2.218(e), that it would impose the maximum permissible term of supervised release as a consequence of the revocation of an earlier supervised release term for offenders sentenced under the D.C. Code. The policy was based on the judgment that, for most cases, a supervised release violator has, by virtue of committing violations that are serious enough to justify revocation, shown the need for further supervision to the limits allowed by law.

Based upon its experience with the D.C. Code sentenced supervised releaseses for over 20 years, the Commission has determined that this policy should be repealed. Under the reviewed regulation the Commission will retain the discretion to impose the maximum permissible term when it finds that the offender would benefit from a lengthier period of supervision, but there will no longer be a policy guiding that decision.

The Commission is promulgating this rule as an interim rule and is providing a 30-day period for public comment. The revised rule will take effect upon publication in the **Federal Register**.

**Executive Orders 12866 and 13563**

This regulation has been drafted and reviewed in accordance with Executive Order 12866, “Regulation Planning and Review,” section 1(b), Principles of Regulation, and in accordance with Executive Order 13565, “Improving

Regulation and Regulatory Review,” section 1(b), General Principles of Regulation. The Commission has determined that this rule is not a “significant regulatory action” under Executive Order 12866, section 3(f), Regulatory Planning and Review, and accordingly this rule has not been reviewed by the Office of Management and Budget.

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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. Under Executive Order 13132, this rule does not have sufficient federalism implications requiring a Federalism Assessment.

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This rule will not cause State, local, or tribal governments, or the private sector, to spend \$100,000,000 or more in any one year, and they will not significantly or uniquely affect small governments. No action under the Unfunded Mandates Reform Act of 1995 is necessary.

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This rule is not a “major rule” as defined by Section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996 Subtitle E–Congressional Review Act, now codified at 5 U.S.C. 804(2). 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 the ability of United States-based companies to compete with foreign-based companies. Moreover, this is a rule of agency practice or procedure that does not substantially affect the rights or obligations of non-agency parties, and does not come within the meaning of the term “rule” as used in Section 804(3)(C), now codified at 5 U.S.C. 804(3)(C). Therefore, the reporting requirement of 5 U.S.C. 801 does not apply.

**List of Subjects in 28 CFR Part 2**

Administrative practice and procedure, Prisoners, Probation and Parole.

**The Interim Rule**

Accordingly, the U. S. Parole Commission amends 28 CFR part 2 as follows:

**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. Revise § 2.218(e) to read as follows:

**§ 2.218 Revocation decisions.**

\* \* \* \* \*

(e) If the Commission imposes a new term of imprisonment that is equal to the maximum term of imprisonment authorized by law or, in the case of a subsequent revocation, that uses up the remainder of the maximum term of imprisonment by law, the Commission may not impose a further term of supervised release.

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Patricia K. Cushwa,  
*Chairman (Acting), U.S. Parole Commission.*  
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**BILLING CODE 4410–31–P**

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 165**

[Docket Number USCG–2021–0652]

RIN 1625–AA00

**Safety Zone; Lake Michigan Filming Event, Chicago, IL**

**AGENCY:** Coast Guard, DHS.  
**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone encompassing all navigable waters on Lake Michigan within a small area near the northeast corner of Navy Pier in Chicago, Illinois. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by a filming event. Mariners are urged to use caution when transiting the area and to stay east of the marine event. During the enforcement period listed below, entry into, transiting, or anchoring within the safety zone is prohibited unless authorized by the Captain of the Port