

suggested they support the manning exemption, at least to some extent.

Four commenters suggested the timely notice requirement for engaging foreign officers is too burdensome or impracticable. The Coast Guard agrees in some cases that a timely advance notice of a vacancy may be impracticable. The Coast Guard has revised its final policy guidance under 6.(a)(v) to include the wording "to the extent practicable." However, since licensed positions often have contracts associated with them, it is reasonable for an owner/operator to have an idea when a position may become vacant and to advertise appropriately. The Coast Guard considered timely notice further and reduced the position vacancy announcement from 60 days to 30 days for a position becoming available.

Five commenters suggested qualified U.S.-licensed mariners are hard to find, while one commenter suggested the exemption was meant only for vessels working from American Samoa, and temporary so owners could train U.S. citizens to fill officer vacancies. The Coast Guard agrees that the temporary exemption is a recognition of the difficulty DWTF vessel owners/operators have historically dealt with when seeking to find qualified U.S.-licensed mariners, but notes that the temporary exemption represents an additional opportunity for DWTF vessel owners/operators to develop capacity and skills of United States mariners to fill licensed positions on those vessels.

Two commenters supported at least annual port calls in American Samoa while two commenters did not support requiring port calls in American Samoa. The Coast Guard maintains that at least one annual port call in American Samoa shall occur if foreign licensed mariners are sought and utilized on a United States flagged DWTF vessel, as the manning exemption is only applicable to vessels operating in and out of American Samoa.

One commenter supported adding Taiwan to the list of acceptable countries listed in the International Maritime Organizations (IMO's) so called "White List." This comment is outside of the scope of the policy announced in this policy letter, as the United States cannot on its own revise the IMO "White List".

One commenter offered alternative proposals to demonstrate non-availability of U.S. Officers. The Coast Guard, on a case-by-case basis, may consider alternative approaches in demonstrating non-availability if the approach demonstrates that the vessel owner/operator satisfies the requirements of the law.

One commenter suggested the policy cannot be classified as an interpretive rule because the policy imposes additional duties and requirements. The Coast Guard disagrees; any additional duties and requirements may be traced to the statutory exemption. For instance, the law requires that there be non-availability of United States licensed workers; this policy describes the means by which a DWTF vessel owner/operator may demonstrate such non-availability, namely by recounting the good faith efforts made to locate and hire United States licensed mariners. However, in response to this comment, the Coast Guard reduced some of the information requested in the draft policy, including wages, benefits, and Department of Labor worker codes.

The final policy lists an additional item under Guidance 6 a.(vii) not listed in the draft policy that requires the owner/operator to make a written agreement with each seaman employed on the vessel, on a voyage from a port in the United States. This existing legal requirement can be found in Title 46 United States Code § 10601 (Fishing Agreements), and was added to the policy to aid in compliance.

This notice is issued under the authority of 5 U.S.C. 552(a).

Dated: May 20, 2011.

Kevin S. Cook,

Rear Admiral, U.S. Coast Guard, Director of Prevention Policy.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-1980-DR; Docket ID FEMA-2011-0001]

Missouri; Amendment No. 1 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Missouri (FEMA-1980-DR), dated May 9, 2011, and related determinations.

DATES: *Effective Date:* May 20, 2011.

FOR FURTHER INFORMATION CONTACT: Peggy Miller, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3886.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Missouri is hereby amended to include the following areas among those areas determined to have been adversely affected by the event declared a major disaster by the President in his declaration of May 9, 2011.

Cape Girardeau, Howell, McDonald, Pulaski, Ripley, Scott, Stoddard, and Stone Counties for Individual Assistance. (The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 97.030, Community Disaster Loans; 97.031, Cora Brown Fund; 97.032, Crisis Counseling; 97.033, Disaster Legal Services; 97.034, Disaster Unemployment Assistance (DUA); 97.046, Fire Management Assistance Grant; 97.048, Disaster Housing Assistance to Individuals and Households in Presidentially Declared Disaster Areas; 97.049, Presidentially Declared Disaster Assistance—Disaster Housing Operations for Individuals and Households; 97.050, Presidentially Declared Disaster Assistance to Individuals and Households—Other Needs; 97.036, Disaster Grants—Public Assistance (Presidentially Declared Disasters); 97.039, Hazard Mitigation Grant.)

W. Craig Fugate,

Administrator, Federal Emergency Management Agency.

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

[Internal Agency Docket No. FEMA-1966-DR; Docket ID FEMA-2011-0001]

Wisconsin; Amendment No. 2 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Wisconsin (FEMA-1966-DR), dated April 5, 2011, and related determinations.

DATES: *Effective Date:* May 20, 2011.

FOR FURTHER INFORMATION CONTACT: Peggy Miller, Office of Response and Recovery, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3886.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Wisconsin is hereby amended to include the following area among those areas determined to have been adversely affected by the event declared a major