

Dated: January 12, 2012.

David L. Miller,

Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2012-929 Filed 1-18-12; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA-2011-0002; Internal Agency Docket No. FEMA-8211]

#### Suspension of Community Eligibility

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date.

**DATES: Effective Dates:** The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

**FOR FURTHER INFORMATION CONTACT:** If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2953.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local

floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits the sale of NFIP flood insurance unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. We recognize that some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year on FEMA's initial FIRM for the community as having flood-prone areas (section 202(a) of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are

met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

*National Environmental Policy Act.* This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Considerations. No environmental impact assessment has been prepared.

*Regulatory Flexibility Act.* The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

*Regulatory Classification.* This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

*Executive Order 13132, Federalism.* This rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This rule meets the applicable standards of Executive Order 12988.

*Paperwork Reduction Act.* This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

#### List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

#### PART 64—[AMENDED]

- 1. The authority citation for part 64 continues to read as follows:

**Authority:** 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

#### § 64.6 [Amended]

- 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
<b>Region III</b>				
West Virginia:				
Addison, Town of, Webster County .....	540204	May 13, 1975, Emerg; February 16, 1990, Reg; January 6, 2012, Susp.	Jan. 6, 2012 .....	Jan. 6, 2012.
Camden-On-Gauley, Town of, Webster County.	540205	August 6, 1975, Emerg; August 24, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Cowen, Town of, Webster County .....	540206	August 18, 1975, Emerg; August 24, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Webster County, Unincorporated Areas	540203	December 2, 1975, Emerg; February 16, 1990, Reg; January 6, 2012, Susp.	.....do .....	Do.
<b>Region IV</b>				
Mississippi:				
Greene County, Unincorporated Areas	280271	July 9, 1976, Emerg; September 18, 1985, Reg; January 6, 2012, Susp.	.....do .....	Do.
Leakesville, Town of, Greene County ...	280057	March 23, 1976, Emerg; September 30, 1988, Reg; January 6, 2012, Susp.	.....do .....	Do.
McLain, Town of, Greene County .....	280058	November 12, 1974, Emerg; December 1, 1983, Reg; January 6, 2012, Susp.	.....do .....	Do.
Tennessee:				
Jasper, Town of, Marion County .....	475429	July 30, 1971, Emerg; February 26, 1972, Reg; January 6, 2012, Susp.	.....do .....	Do.
Kimball, Town of, Marion County .....	470116	July 1, 1975, Emerg; May 19, 1987, Reg; January 6, 2012, Susp.	.....do .....	Do.
Marion County, Unincorporated Areas ..	470114	October 23, 1973, Emerg; May 15, 1980, Reg; January 6, 2012, Susp.	.....do .....	Do.
New Hope, Town of, Marion County .....	470377	October 5, 1981, Emerg; September 27, 1985, Reg; January 6, 2012, Susp.	.....do .....	Do.
Powells Crossroads, Town of, Marion County.	470456	N/A, Emerg; May 7, 2009, Reg; January 6, 2012, Susp.	.....do .....	Do.
South Pittsburg, City of, Marion County	475447	July 9, 1971, Emerg; April 14, 1972, Reg; January 6, 2012, Susp.	.....do .....	Do.
Whitwell, City of, Marion County .....	470118	N/A, Emerg; July 10, 2009, Reg; January 6, 2012, Susp.	.....do .....	Do.
<b>Region V</b>				
Illinois:				
Bath, Village of, Mason County .....	170464	April 4, 1979, Emerg; January 5, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Havana, City of, Mason County .....	170465	July 23, 1981, Emerg; July 23, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Mason City, City of, Mason County .....	170466	December 12, 1975, Emerg; July 18, 1985, Reg; January 6, 2012, Susp.	.....do .....	Do.
Mason County, Unincorporated Areas ..	170463	January 19, 1977, Emerg; February 1, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Michigan:				
Alabaster, Township of, Iosco County ..	260249	November 20, 1973, Emerg; February 19, 1987, Reg; January 6, 2012, Susp.	.....do .....	Do.
Au Sable, Township of, Iosco County ...	260098	May 25, 1973, Emerg; January 6, 1988, Reg; January 6, 2012, Susp.	.....do .....	Do.
East Tawas, City of, Iosco County .....	260100	May 1, 1973, Emerg; September 30, 1977, Reg; January 6, 2012, Susp.	.....do .....	Do.
Oscoda, Township of, Iosco County .....	260101	May 15, 1973, Emerg; September 1, 1978, Reg; January 6, 2012, Susp.	.....do .....	Do.
Tawas City, City of, Iosco County .....	260102	July 23, 1973, Emerg; February 15, 1978, Reg; January 6, 2012, Susp.	.....do .....	Do.
Croswell, City of, Sanilac County .....	260515	October 13, 1976, Emerg; August 19, 1986, Reg; January 6, 2012, Susp.	.....do .....	Do.
Delaware, Township of, Sanilac County	260756	April 7, 1986, Emerg; December 18, 1986, Reg; January 6, 2012, Susp.	.....do .....	Do.
Forester, Township of, Sanilac County	260771	August 4, 1986, Emerg; September 18, 1987, Reg; January 6, 2012, Susp.	.....do .....	Do.
Lexington, Township of, Sanilac County	260718	March 4, 1980, Emerg; January 15, 1988, Reg; January 6, 2012, Susp.	.....do .....	Do.
Port Sanilac, Village of, Sanilac County	260779	September 26, 1986, Emerg; April 15, 1988, Reg; January 6, 2012, Susp.	.....do .....	Do.
Sanilac, Township of, Sanilac County ...	260791	January 20, 1987, Emerg; September 18, 1987, Reg; January 6, 2012, Susp.	.....do .....	Do.
Worth, Township of, Sanilac County .....	260296	June 7, 1974, Emerg; June 1, 1987, Reg; January 6, 2012, Susp.	.....do .....	Do.
Ohio:				

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Bremen, Village of, Fairfield County .....	390160	July 22, 1975, Emerg; September 2, 1982, Reg; January 6, 2012, Susp.	.....do .....	Do.
Buckeye Lake, Village of, Fairfield County.	390882	April 26, 1983, Emerg; August 15, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Lancaster, City of, Fairfield County .....	390161	July 28, 1975, Emerg; May 1, 1980, Reg; January 6, 2012, Susp.	.....do .....	Do.
Millersport, Village of, Fairfield County	390689	May 8, 1990, Emerg; February 1, 1991, Reg; January 6, 2012, Susp.	.....do .....	Do.
Pickerington, City of, Fairfield County ...	390162	June 11, 1976, Emerg; August 5, 1991, Reg; January 6, 2012, Susp.	.....do .....	Do.
Sugar Grove, Village of, Fairfield County.	390163	June 25, 1975, Emerg; September 2, 1982, Reg; January 6, 2012, Susp.	.....do .....	Do.
Thurston, Village of, Fairfield County ....	390690	October 1, 1976, Emerg; November 23, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Wisconsin:				
Bangor, Village of, La Crosse County ...	550218	January 20, 1975, Emerg; January 2, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Holmen, Village of, La Crosse County ..	550219	June 27, 1975, Emerg; April 20, 1979, Reg; January 6, 2012, Susp.	.....do .....	Do.
La Crosse, City of, La Crosse County ..	555562	December 4, 1970, Emerg; January 15, 1971, Reg; January 6, 2012, Susp.	.....do .....	Do.
La Crosse County, Unincorporated Areas.	550217	March 26, 1971, Emerg; March 15, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Onalaska, City of, La Crosse County ....	550221	July 3, 1975, Emerg; September 16, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Rockland, Village of, La Crosse County	550222	N/A, Emerg; March 9, 2010, Reg; January 6, 2012, Susp.	.....do .....	Do.
West Salem, Village of, La Crosse County.	550560	April 17, 1986, Emerg; April 17, 1986, Reg; January 6, 2012, Susp.	.....do .....	Do.
<b>Region VI</b>				
Texas:				
Caddo Mills, City of, Hunt County .....	480364	N/A, Emerg; March 6, 2008, Reg; January 6, 2012, Susp.	.....do .....	Do.
Celeste, City of, Hunt County .....	480365	February 11, 1985, Emerg; September 1, 1987, Reg; January 6, 2012, Susp.	.....do .....	Do.
Commerce, City of, Hunt County .....	480366	April 10, 1975, Emerg; March 2, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Greenville, City of, Hunt County .....	485473	December 31, 1970, Emerg; August 13, 1971, Reg; January 6, 2012, Susp.	.....do .....	Do.
Josephine, City of, Hunt County .....	480756	N/A, Emerg; December 15, 1995, Reg; January 6, 2012, Susp.	.....do .....	Do.
Royse City, City of, Hunt County .....	480548	July 3, 1975, Emerg; July 16, 1980, Reg; January 6, 2012, Susp.	.....do .....	Do.
Tuscola, Town of, Taylor County .....	481017	October 30, 1979, Emerg; November 1, 1989, Reg; January 6, 2012, Susp.	.....do .....	Do.
Union Valley, City of, Hunt County .....	480246	N/A, Emerg; April 1, 2010, Reg; January 6, 2012, Susp.	.....do .....	Do.
<b>Region VII</b>				
Nebraska:				
Arlington, Village of, Washington County.	310227	June 11, 1975, Emerg; January 16, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Blair, City of, Washington County .....	310228	September 17, 1974, Emerg; July 16, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Dakota City, City of, Dakota County .....	310053	December 17, 1974, Emerg; September 16, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Dakota County, Unincorporated Areas	310429	August 18, 1975, Emerg; April 15, 1982, Reg; January 6, 2012, Susp.	.....do .....	Do.
Fort Calhoun, City of, Washington County.	310368	September 10, 1976, Emerg; December 1, 1983, Reg; January 6, 2012, Susp.	.....do .....	Do.
Herman, Village of, Washington County	310229	January 10, 1975, Emerg; March 18, 1985, Reg; January 6, 2012, Susp.	.....do .....	Do.
Homer, Village of, Dakota County .....	310241	March 26, 1975, Emerg; April 3, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Jackson, Village of, Dakota County .....	310292	May 6, 1977, Emerg; September 4, 1987, Reg; January 6, 2012, Susp.	.....do .....	Do.
Kennard, Village of, Washington County	310230	March 26, 1975, Emerg; September 18, 1985, Reg; January 6, 2012, Susp.	.....do .....	Do.
Washington, Village of, Washington County.	315496	April 4, 1986, Emerg; September 14, 1990, Reg; January 6, 2012, Susp.	.....do .....	Do.

State and location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current effective map date	Date certain Federal assistance no longer available in SFHAs
Washington County, Unincorporated Areas. <b>Region VIII</b>	310483	September 4, 1975, Emerg; February 4, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Colorado:				
Canon City, City of, Fremont County ....	080068	May 28, 1974, Emerg; November 3, 1982, Reg; January 6, 2012, Susp.	.....do .....	Do.
Coal Creek, Town of, Fremont County	080210	N/A, Emerg; February 4, 2011, Reg; January 6, 2012, Susp.	.....do .....	Do.
Florence, City of, Fremont County .....	080070	June 25, 1975, Emerg; December 4, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Fremont County, Unincorporated Areas	080067	June 25, 1975, Emerg; September 29, 1989, Reg; January 6, 2012, Susp.	.....do .....	Do.
Montrose, City of, Montrose County ....	080125	January 31, 1975, Emerg; March 1, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Montrose County, Unincorporated Areas.	080124	May 23, 1975, Emerg; February 15, 1984, Reg; January 6, 2012, Susp.	.....do .....	Do.
Naturita, Town of, Montrose County ....	080126	June 18, 1975, Emerg; January 6, 1982, Reg; January 6, 2012, Susp.	.....do .....	Do.
Olathe, Town of, Montrose County .....	080128	June 5, 1975, Emerg; September 16, 1982, Reg; January 6, 2012, Susp.	.....do .....	Do.
Rockvale, Town of, Fremont County ....	080221	September 21, 1979, Emerg; October 15, 1985, Reg; January 6, 2012, Susp.	.....do .....	Do.
Montana:				
Butte-Silver Bow County, All Jurisdictions.	300077	September 17, 1974, Emerg; September 28, 1979, Reg; January 6, 2012, Susp.	.....do .....	Do.
South Dakota:				
Belle Fourche, City of, Butte County ....	460012	May 3, 1973, Emerg; June 1, 1977, Reg; January 6, 2012, Susp.	.....do .....	Do.
Butte County, Unincorporated Areas ....	460236	November 24, 1998, Emerg; N/A, Reg; January 6, 2012, Susp.	.....do .....	Do.
Custer, City of, Custer County .....	460019	April 11, 1973, Emerg; January 2, 1981, Reg; January 6, 2012, Susp.	.....do .....	Do.
Custer County, Unincorporated Areas ..	460018	October 28, 1977, Emerg; September 29, 1986, Reg; January 6, 2012, Susp.	.....do .....	Do.
Hermosa, Town of, Custer County .....	460230	July 24, 2003, Emerg; August 1, 2006, Reg; January 6, 2012, Susp.	.....do .....	Do.
Woonsocket, City of, Sanborn County ..	460075	May 28, 1975, Emerg; November 15, 1985, Reg; January 6, 2012, Susp.	.....do .....	Do.

\*do- = Ditto.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Susp—Suspension.

Dated: December 9, 2011.

**David L. Miller,**

*Associate Administrator, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.*

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## DEPARTMENT OF DEFENSE

### Defense Acquisition Regulations System

#### 48 CFR Parts 212 and 252

RIN 0750-AH27

#### Defense Federal Acquisition Regulation Supplement; Pilot Program for Acquisition of Military-Purpose Nondevelopmental Items (DFARS Case 2011-D034)

**AGENCY:** Defense Acquisition Regulations System, Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is adopting as final, without change, an interim rule amending the Defense Federal Acquisition Regulation Supplement establishing a pilot program to assess the feasibility and advisability of

acquiring military-purpose nondevelopmental items in accordance with streamlined procedures.

**DATES:** *Effective date:* January 19, 2012.

**FOR FURTHER INFORMATION CONTACT:** Manuel Quinones, telephone (703) 602-8383.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

To implement section 866 of the National Defense Authorization Act for Fiscal Year 2011, DoD published an interim rule in the **Federal Register** at 76 FR 38048 on June 29, 2011, establishing a pilot program to assess the feasibility and advisability of acquiring military-purpose nondevelopmental items in accordance with streamlined procedures. The authority for this pilot program expires on January 6, 2016. Under this pilot program, DoD may enter into contracts