

§ 2.31 (except paragraph (a)(6) of this section which is inconsistent with the revocation provisions of paragraph (c) of this section) and the requirements of paragraphs (b) and (c) of this section.

■ 6. Amend § 2.53 by:

■ a. Revising paragraphs (a) introductory text, (a)(1)(i) and (ii), (a)(2).

■ b. Revising paragraphs (b) introductory text, (b)(2)(i) and (ii).

■ c. Revising paragraph (c)(5).

■ d. Revising paragraph (d).

The revisions and addition read as follows:

**§ 2.53 Audit and evaluation.**

(a) *Records not copied or removed.* If patient records are not downloaded, copied or removed from the premises of a part 2 program or other lawful holder, or forwarded electronically to another electronic system or device, patient identifying information, as defined in § 2.11, may be disclosed in the course of a review of records on the premises of a part 2 program or other lawful holder to any individual or entity who agrees in writing to comply with the limitations on re-disclosure and use in paragraph (d) of this section and who:

(1) \* \* \*

(i) Any federal, state, or local governmental agency that provides financial assistance to a part 2 program or other lawful holder, or is authorized by law to regulate the activities of the part 2 program or other lawful holder;

(ii) Any individual or entity which provides financial assistance to the part 2 program or other lawful holder, which is a third-party payer covering patients in the part 2 program, or which is a quality improvement organization performing a utilization or quality control review, or such individual's or entity's or quality improvement organization's contractors, subcontractors, or legal representatives.

(2) Is determined by the part 2 program or other lawful holder to be qualified to conduct an audit or evaluation of the part 2 program or other lawful holder.

(b) *Copying, removing, downloading, or forwarding patient records.* Records containing patient identifying information, as defined in § 2.11, may be copied or removed from the premises of a part 2 program or other lawful holder or downloaded or forwarded to another electronic system or device from the part 2 program's or other lawful holder's electronic records by any individual or entity who:

(2) \* \* \*

(i) Any federal, state, or local governmental agency that provides financial assistance to the part 2 program or other lawful holder, or is

authorized by law to regulate the activities of the part 2 program or other lawful holder; or

(ii) Any individual or entity which provides financial assistance to the part 2 program or other lawful holder, which is a third-party payer covering patients in the part 2 program, or which is a quality improvement organization performing a utilization or quality control review, or such individual's or entity's or quality improvement organization's contractors, subcontractors, or legal representatives.

\* \* \* \* \*

(c) \* \* \*

(5) If a disclosure to an individual or entity is authorized under this section for a Medicare, Medicaid, or CHIP audit or evaluation, including a civil investigation or administrative remedy, as those terms are used in paragraph (c)(2) of this section, the individual or entity may further disclose the patient identifying information that is received for such purposes to its contractor(s), subcontractor(s), or legal representative(s), to carry out the audit or evaluation, and a quality improvement organization which obtains such information under paragraph (a) or (b) of this section may disclose the information to that individual or entity (or, to such individual's or entity's contractors, subcontractors, or legal representatives, but only for the purposes of this section).

\* \* \* \* \*

(d) Limitations on disclosure and use. Except as provided in paragraph (c) of this section, patient identifying information disclosed under this section may be disclosed only back to the part 2 program or other lawful holder from which it was obtained and may be used only to carry out an audit or evaluation purpose or to investigate or prosecute criminal or other activities, as authorized by a court order entered under § 2.66.

\* \* \* \* \*

Dated: December 19, 2017.

**Elinore F. McCance-Katz**

*Assistant Secretary for Mental Health and Substance Use.*

Approved: December 20, 2017.

**Eric D. Hargan,**

*Acting Secretary, Department of Health and Human Services.*

[FR Doc. 2017-28400 Filed 1-2-18; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 64**

[Docket ID FEMA-2017-0002; Internal Agency Docket No. FEMA-8513]

**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. Also, information identifying the current participation status of a community can be obtained from FEMA's Community Status Book (CSB). The CSB is available at <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

**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 Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 212-3966.

**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 measures 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 to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such 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 procedures 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.** FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) does not apply.

**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, Section 1315, 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 II</b>				
New York:				
Amsterdam, City of, Montgomery County.	360440	May 19, 1975, Emerg; July 16, 1984, Reg; January 19, 2018, Susp.	January 19, 2018.	January 19, 2018.
Amsterdam, Town of, Montgomery County.	360441	July 16, 1975, Emerg; December 1, 1987, Reg; January 19, 2018, Susp.	.....do* .....	Do.
Canajoharie, Town of, Montgomery County.	360442	June 13, 1975, Emerg; January 6, 1983, Reg; January 19, 2018, Susp.	.....do .....	Do.
Canajoharie, Village of, Montgomery County.	360443	July 26, 1974, Emerg; November 3, 1982, Reg; January 19, 2018, Susp.	.....do .....	Do.
Florida, Town of, Montgomery County ..	360445	July 22, 1975, Emerg; December 1, 1987, Reg; January 19, 2018, Susp.	.....do .....	Do.
Fort Johnson, Village of, Montgomery County.	360447	July 22, 1975, Emerg; January 19, 1983, Reg; January 19, 2018, Susp.	.....do .....	Do.
Fultonville, Village of, Montgomery County.	360449	January 17, 1975, Emerg; October 15, 1982, Reg; January 19, 2018, Susp.	.....do .....	Do.
Glen, Town of, Montgomery County. ....	361295	February 10, 1977, Emerg; February 19, 1986, Reg; January 19, 2018, Susp.	.....do .....	Do.
Hagaman, Village of, Montgomery County.	360450	June 18, 1975, Emerg; March 18, 1986, Reg; January 19, 2018, Susp.	.....do .....	Do.
Minden, Town of, Montgomery County	360451	November 10, 1975, Emerg; January 19, 1983, Reg; January 19, 2018, 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
Mohawk, Town of, Montgomery County	360452	July 18, 1975, Emerg; August 5, 1985, Reg; January 19, 2018, Susp.	.....do .....	Do.
Palatine, Town of, Montgomery County	361413	March 8, 1977, Emerg; May 4, 1987, Reg; January 19, 2018, Susp.	.....do .....	Do.
Root, Town of, Montgomery County .....	360455	November 3, 1975, Emerg; April 1, 1988, Reg; January 19, 2018, Susp.	.....do .....	Do.
Saint Johnsville, Town of, Montgomery County.	360456	March 9, 1977, Emerg; March 16, 1983, Reg; January 19, 2018, Susp.	.....do .....	Do.
Saint Johnsville, Village of, Montgomery County.	360457	October 23, 1974, Emerg; February 19, 1986, Reg; January 19, 2018, Susp.	.....do .....	Do.
<b>Region IV</b>				
Florida: Fanning Springs, City of, Gilchrist and Levy Counties.	120146	August 22, 1975, Emerg; September 5, 1984, Reg; January 19, 2018, Susp.	.....do .....	Do.
<b>Region VI</b>				
Texas:				
Dayton Lakes, City of, Liberty County ..	481593	August 12, 1985, Emerg; November 15, 1989, Reg; January 19, 2018, Susp.	January 19, 2018.	January 19, 2018.
Hardin, City of, Liberty County .....	481270	June 1, 1976, Emerg; April 9, 1985, Reg; January 19, 2018, Susp.	.....do .....	Do.
Kenefick, City of, Liberty County .....	481523	N/A, Emerg; June 20, 2008, Reg; January 19, 2018, Susp.	.....do .....	Do.
<b>Region X</b>				
Oregon:				
Eagle Point, City of, Jackson County ....	410093	June 5, 1974, Emerg; September 30, 1980, Reg; January 19, 2018, Susp.	.....do .....	Do.
Jackson County, Unincorporated Areas	415589	December 31, 1970, Emerg; April 1, 1982, Reg; January 19, 2018, Susp.	.....do .....	Do.
Shady Cove, City of, Jackson County ..	410099	August 23, 1974, Emerg; September 30, 1980, Reg; January 19, 2018, Susp.	.....do .....	Do.
Washington: Camas, City of, Clark County	530026	April 24, 1974, Emerg; February 18, 1981, Reg; January 19, 2018, Susp.	.....do .....	Do.

\* do = Ditto.

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

Dated: December 21, 2017.

**Eric Letvin,**

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

[FR Doc. 2017-28429 Filed 1-2-18; 8:45 am]

**BILLING CODE 9110-12-P**

**FEDERAL COMMUNICATIONS COMMISSION**

**47 CFR Part 54**

[WC Docket No. 10-90, WT Docket No. 10-208; DA 17-1218]

**Mobility Fund Phase II Challenge Process Handsets and Access Procedures for the Challenge Process Portal**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; requirements and procedures.

**SUMMARY:** In this document, the Rural Broadband Auctions Task Force, with the Wireline Competition Bureau and the Wireless Telecommunications Bureau, provide further guidance on the handsets that mobile wireless providers in the Mobility Fund Phase II challenge process can designate for challengers to use when conducting speed tests in areas deemed presumptively ineligible for MF-II support. This document adopts procedures for challengers to request access to the Universal Service Administrative Company challenge process portal.

**DATES:** Parties may submit the list of provider-approved handsets as part of their 4G LTE coverage data filings due by January 4, 2018, or they may elect to supplement those filings with the handset list by no later than thirty days following the publication of this document in the **Federal Register**.

**ADDRESSES:** Submit responses to the MF-II 4G LTE data collections, including the list of provider-approved handsets, at [www.fcc.gov/MF2-LTE-Collection](http://www.fcc.gov/MF2-LTE-Collection). Submit waivers by email to

[mf2challengeprocess@fcc.gov](mailto:mf2challengeprocess@fcc.gov) or by hard copy to Margaret W. Wiener, Chief, Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, FCC, 445 12th Street SW, Room 6-C217, Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:** Wireless Telecommunications Bureau, Auction and Spectrum Access Division, Jonathan McCormack, at (202) 418-0660.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Public Notice (*MF-II Challenge Process Handset Public Notice*), WC Docket No. 10-90, WT Docket No. 10-208, DA 17-1218, adopted on December 20, 2017, and released on December 20, 2017. The complete text of the *MF-II Challenge Process Handset Public Notice* is available for public inspection and copying from 8:00 a.m. to 4:30 p.m. Eastern Time (ET) Monday through Thursday or from 8:00 a.m. to 11:30 a.m. ET on Fridays in the FCC Reference Information Center, 445 12th Street SW, Room CY-A257, Washington, DC 20554. The complete text is also available on