

umpire, and such umpire's determination will become final only upon approval by FEMA. The Company and FEMA shall bear in equal shares all expenses of the arbitration. Findings, proposed awards, and determinations resulting from arbitration proceedings carried out under this section, upon objection by FEMA or the Company, shall be inadmissible as evidence in any subsequent proceedings in any court of competent jurisdiction.

This Article shall indefinitely succeed the term of this Arrangement.

#### *Article IX. Errors and Omissions*

In the event of negligence by the Company that has not resulted in litigation but has resulted in a claim against the Company, FEMA will not consider reimbursement of the Company for costs incurred due to that negligence unless the Company takes all reasonable actions to rectify the negligence and to mitigate any such costs as soon as possible after discovery of the negligence. The Company may choose not to seek reimbursement from FEMA.

Further, if the claim against the Company is grounded in actions significantly outside the scope of this Arrangement or if there is negligence by the agent, FEMA will not reimburse any costs incurred due to that negligence. The Company will be notified in writing within thirty (30) days of a decision not to reimburse. In the event the Company wishes to petition for reconsideration of the decision not to reimburse, the procedure in Article III.D.3.d applies.

However, in the event that the Company has made a claim payment to an insured without including a mortgagee (or trustee) of which the Company had actual notice prior to making payment, and subsequently determines that the mortgagee (or trustee) is also entitled to any part of said claim payment, any additional payment may not be paid by the Company from any portion of the premium and any funds derived from any federal letter of credit deposited in the bank account described in Article II.E. In addition, the Company agrees to hold the Federal Government harmless against any claim asserted against the Federal Government by any such mortgagee (or trustee), as described in the preceding sentence, by reason of any claim payment made to any insured under the circumstances described above.

#### *Article X. Officials Not To Benefit*

No Member or Delegate to Congress, or Resident Commissioner, may be admitted to any share or part of this

Arrangement, or to any benefit that may arise therefrom; but this provision may not be construed to extend to this Arrangement if made with a corporation for its general benefit.

#### *Article XI. Offset*

At the settlement of accounts, the Company and FEMA has, and may exercise, the right to offset any balance or balances, whether on account of premiums, commissions, losses, loss adjustment expenses, salvage, or otherwise due one party to the other, its successors or assigns, hereunder or under any other Arrangements heretofore or hereafter entered into between the Company and FEMA. This right of offset shall not be affected or diminished because of insolvency of the Company.

All debts or credits of the same class, whether liquidated or unliquidated, in favor of or against either party to this Arrangement on the date of entry, or any order of conservation, receivership, or liquidation, shall be deemed to be mutual debts and credits and shall be offset with the balance only to be allowed or paid. No offset shall be allowed where a conservator, receiver, or liquidator has been appointed and where an obligation was purchased by or transferred to a party hereunder to be used as an offset.

Although a claim on the part of either party against the other may be unliquidated or undetermined in amount on the date of the entry of the order, such claim will be regarded as being in existence as of the date of such order and any credits or claims of the same class then in existence and held by the other party may be offset against it.

#### *Article XII. Equal Opportunity*

The Company shall not discriminate against any applicant for insurance because of race, color, religion, sex, age, handicap, marital status, or national origin.

#### *Article XIII. [Reserved]*

*[Reserved]*

#### *Article XIV. Access to Books and Records*

FEMA, the Department of Homeland Security, and the Comptroller General of the United States, or their duly authorized representatives, for the purpose of investigation, audit, and examination shall have access to any books, documents, papers and records of the Company that are pertinent to this Arrangement. The Company shall keep records that fully disclose all matters pertinent to this Arrangement, including premiums and claims paid or payable

under policies issued pursuant to this Arrangement. Records of accounts and records relating to financial assistance shall be retained and available for three (3) years after final settlement of accounts, and to financial assistance, three (3) years after final adjustment of such claims. FEMA shall have access to policyholder and claim records at all times for purposes of the review, defense, examination, adjustment, or investigation of any claim under a flood insurance policy subject to this Arrangement.

#### *Article XV. Compliance With Act and Regulations*

This Arrangement and all policies of insurance issued pursuant thereto are subject to federal law and regulations.

#### *Article XVI. Relationship Between the Parties and the Insured*

Inasmuch as the Federal Government is a guarantor hereunder, the primary relationship between the Company and the Federal Government is one of a fiduciary nature, that is, to assure that any taxpayer funds are accounted for and appropriately expended. The Company is a fiscal agent of the Federal Government, but is not a general agent of the Federal Government. The Company is solely responsible for its obligations to its insured under any policy issued pursuant hereto, such that the Federal Government is not a proper party to any lawsuit arising out of such policies.

**Authority:** 42 U.S.C. 4071, 4081; 44 CFR 62.23.

Dated: March 8, 2018.

**Roy E. Wright,**

*Deputy Associate Administrator for Insurance and Mitigation, Federal Emergency Management Agency.*

[FR Doc. 2018-05418 Filed 3-15-18; 8:45 am]

**BILLING CODE 9111-52-P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Federal Emergency Management Agency**

**[Docket ID FEMA-2018-0002; Internal Agency Docket No. FEMA-B-1815]**

### **Proposed Flood Hazard Determinations**

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

**ACTION:** Notice.

**SUMMARY:** Comments are requested on proposed flood hazard determinations, which may include additions or modifications of any Base Flood

Elevation (BFE), base flood depth, Special Flood Hazard Area (SFHA) boundary or zone designation, or regulatory floodway on the Flood Insurance Rate Maps (FIRMs), and where applicable, in the supporting Flood Insurance Study (FIS) reports for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the preliminary FIRM, and where applicable, the FIS report that the Federal Emergency Management Agency (FEMA) has provided to the affected communities. The FIRM and FIS report are the basis of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, the FIRM and FIS report, once effective, will be used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents of those buildings.

**DATES:** Comments are to be submitted on or before June 14, 2018.

**ADDRESSES:** The Preliminary FIRM, and where applicable, the FIS report for each community are available for inspection at both the online location <https://www.fema.gov/preliminaryfloodhazarddata> and the respective Community Map Repository address listed in the tables below. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison.

You may submit comments, identified by Docket No. FEMA-B-1815, to Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472,

(202) 646-7659, or (email) [patrick.sacbibit@fema.dhs.gov](mailto:patrick.sacbibit@fema.dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Rick Sacbibit, Chief, Engineering Services Branch, Federal Insurance and Mitigation Administration, FEMA, 400 C Street SW, Washington, DC 20472, (202) 646-7659, or (email) [patrick.sacbibit@fema.dhs.gov](mailto:patrick.sacbibit@fema.dhs.gov); or visit the FEMA Map Information eXchange (FMIX) online at [https://www.floodmaps.fema.gov/fhm/fmx\\_main.html](https://www.floodmaps.fema.gov/fhm/fmx_main.html).

**SUPPLEMENTARY INFORMATION:** FEMA proposes to make flood hazard determinations for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed flood hazard determinations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own or pursuant to policies established by other Federal, State, or regional entities. These flood hazard determinations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after the FIRM and FIS report become effective.

The communities affected by the flood hazard determinations are provided in the tables below. Any request for reconsideration of the revised flood hazard information shown on the Preliminary FIRM and FIS report that satisfies the data requirements outlined in 44 CFR 67.6(b) is considered an appeal. Comments unrelated to the

flood hazard determinations also will be considered before the FIRM and FIS report become effective.

Use of a Scientific Resolution Panel (SRP) is available to communities in support of the appeal resolution process. SRPs are independent panels of experts in hydrology, hydraulics, and other pertinent sciences established to review conflicting scientific and technical data and provide recommendations for resolution. Use of the SRP only may be exercised after FEMA and local communities have been engaged in a collaborative consultation process for at least 60 days without a mutually acceptable resolution of an appeal. Additional information regarding the SRP process can be found online at [https://www.floodsrp.org/pdfs/srp\\_overview.pdf](https://www.floodsrp.org/pdfs/srp_overview.pdf).

The watersheds and/or communities affected are listed in the tables below. The Preliminary FIRM, and where applicable, FIS report for each community are available for inspection at both the online location <https://www.fema.gov/preliminaryfloodhazarddata> and the respective Community Map Repository address listed in the tables. For communities with multiple ongoing Preliminary studies, the studies can be identified by the unique project number and Preliminary FIRM date listed in the tables. Additionally, the current effective FIRM and FIS report for each community are accessible online through the FEMA Map Service Center at <https://msc.fema.gov> for comparison. (Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: March 8, 2018.

**Roy E. Wright,**

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

Community	Community map repository address
<b>Canyon County, Idaho and Incorporated Areas</b> <b>Project: 11-10-0399S Preliminary Date: September 16, 2016</b>	
City of Star .....	City Hall, 10769 West State Street, Star, ID 83669.
<b>Jefferson County, Washington and Incorporated Areas</b> <b>Project: 14-10-0586S Preliminary Date: January 4, 2018</b>	
Unincorporated Areas of Jefferson County .....	Jefferson County Department of Community Development, 621 Sheridan Street, Port Townsend, WA 98368.

[FR Doc. 2018-05410 Filed 3-15-18; 8:45 am]

BILLING CODE 9110-12-P

## DEPARTMENT OF HOMELAND SECURITY

[Docket No. DHS-2017-0074]

### Privacy Act of 1974; System of Records

**AGENCY:** Privacy Office, Department of Homeland Security.

**ACTION:** Notice of modified Privacy Act system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, the Department of Homeland Security (DHS) proposes to modify and reissue a current DHS system of records titled, "DHS/ALL-014 Department of Homeland Security Personnel Contact Information." This system of records covers DHS's collection and maintenance of records concerning DHS personnel (including Federal employees and contractors) for workforce accountability; DHS and non-DHS Federal employees, contractors, or other individuals who participate in or respond to all-hazard emergencies, including technical, manmade, or natural disasters, or who participate in emergency response training exercises; and individuals identified as emergency points of contact. Categories of individuals, categories of records, and retention schedules for this system of records have been modified and expanded to better reflect the Department's emergency personnel location record systems. Additionally, this notice includes non-substantive changes to simplify the formatting and text of the previously published notice. This modified system will be included in the DHS inventory of record systems.

**DATES:** Submit comments on or before April 16, 2018. This modified system will be effective upon publication. New or modified routine uses will be effective April 16, 2018.

**ADDRESSES:** You may submit comments, identified by docket number DHS-2017-0074 by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Fax:* 202-343-4010.

- *Mail:* Philip S. Kaplan, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528-0655.

**FOR FURTHER INFORMATION CONTACT:** For general and privacy questions, please contact Philip S. Kaplan, [Sam.Kaplan@hq.dhs.gov](mailto:Sam.Kaplan@hq.dhs.gov), (202) 343-1717, Chief

Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528-0655.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, DHS proposes to modify a current DHS system of records titled, "DHS/ALL-014 Personnel Emergency Contact Information."

This system of records covers DHS's collection and maintenance of records concerning current and former DHS personnel (including Federal employees and contractors) for workforce accountability (e.g., tracking employee locations for safety and security purposes); Federal employees, contractors, or other individuals (e.g., state, local, tribal, and territorial [SLTT] personnel) who participate in or who respond to all-hazards emergencies including technical, manmade, or natural disasters, or who participate in emergency response training exercises; and individuals identified as emergency points of contact. DHS collects information of family members, next of kin, or other designated emergency contact persons for use in the event of an emergency.

Categories of individuals, categories of records, and retention schedules for this system of records have been modified and expanded to better reflect the Department's emergency personnel location record systems.

Categories of individuals have been expanded to include former DHS personnel; current and former Federal employees, contractors, or other individuals (e.g., SLTT personnel) who participate in or conduct emergency response training exercises; and individuals identified by current or former DHS personnel as emergency points of contact, including family members and next of kin.

DHS is updating the category of records to include geospatial location information. DHS may collect this information from DHS personnel, including Federal employees and contractors; current and former Federal employees, contractors, or other individuals who participate in or conduct emergency response training exercises; current and former Federal employees, contractors, or other individuals who respond to all-hazards emergencies including technical, manmade, or natural disasters. DHS collects this information in order to facilitate the response efforts of deployed DHS and non-DHS personnel to all-hazards emergencies and provide a clear operational picture of the location of emergency personnel. This

enables DHS or the emergency managers to better direct emergency personnel and the overall response effort.

In the course of responding to, or planning for, all-hazards emergencies, DHS may contact, locate, and deploy DHS personnel; implement the Continuity of Operations (COOP) Plan; and participate in emergency response training exercises. DHS may also utilize Federal Government employees from other Federal agencies who are deployed as a part of a mission assignment (pursuant to 42 U.S.C. 5197(c)) and non-Federal Government employees, such as other SLTT personnel. This system of records encompasses the collection, storage, and use of information associated with such activities and for all individuals that participate in those activities. Additionally, for emergency notification purposes, DHS may contact the identified emergency contacts or next of kin of the individual.

DHS is updating the record retention schedule to reflect the new and revised General Records Schedules under the Office of Management and Budget (OMB) and the National Archives and Records Administration (NARA) M-12-18, Managing Government Records Directive (Aug. 24, 2012). The previous General Records Schedules have been superseded.

Consistent with DHS's information sharing mission, information stored in the DHS/ALL-014 Personnel Emergency Contact Information system of records notice (SORN) may be shared with other DHS Components that have a need to know the information to carry out their national security, law enforcement, immigration, intelligence, or other homeland security functions. In addition, information may be shared with appropriate Federal, state, local, tribal, territorial, foreign, or international government agencies consistent with the routine uses set forth in this SORN. This updated system will be included in the Department's inventory of record systems.

##### II. Privacy Act

The Privacy Act embodies fair information practice principles in a statutory framework governing the means by which Federal Government agencies collect, maintain, use, and disseminate individuals' records. The Privacy Act applies to information that is maintained in a "system of records." A "system of records" is a group of any records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the