

The rule will not result in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions. It will not have "significant adverse effects" on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises. This final rule is subject to the information collection requirements of the Paperwork Reduction Act, and OMB has assigned Control No. 3067-0297. The rule is not an unfunded Federal mandate within the meaning of the Unfunded Mandates Reform Act of 1995, Public Law 104-4, and any enforceable duties that we impose are a condition of Federal assistance or a duty arising from participation in a voluntary Federal program.

#### List of Subjects in 44 CFR Parts 201 and Part 206

Administrative practice and procedure, Disaster assistance, Grant programs, Mitigation planning, Reporting and record keeping requirements.

Accordingly, amend 44 CFR, chapter I, as follows:

#### PART 201—MITIGATION PLANNING

1. The authority for Part 201 continues to read as follows:

**Authority:** Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376; E.O. 12148, 44 FR 43239, 3 CFR, 1979 Comp., p. 412; and E.O. 12673, 54 FR 12571, 3 CFR, 1989 Comp., p. 214.

2. Revise § 201.3(c)(3) to read as follows:

##### § 201.3 Responsibilities.

\* \* \* \* \*

(c) \* \* \*

(3) At a minimum, review and, if necessary, update the Standard State Mitigation Plan by November 1, 2004 and every three years from the date of the approval of the previous plan in order to continue program eligibility.

\* \* \* \* \*

3. Revise § 201.4(a) to read as follows:

##### § 201.1 Standard State Mitigation Plans.

(a) *Plan requirement.* By November 1, 2004, States must have an approved Standard State Mitigation plan meeting the requirements of this section in order to receive assistance under the Stafford Act, although assistance authorized under disasters declared prior to

November 1, 2004 will continue to be made available. Until that date, existing, FEMA approved State Mitigation Plans will be accepted. In any case, emergency assistance provided under 42 U.S.C. 5170a, 5170b, 5173, 5174, 5177, 5179, 5180, 5182, 5183, 5184, 5192 will not be affected. The mitigation plan is the demonstration of the State's commitment to reduce risks from natural hazards and serves as a guide for State decision makers as they commit resources to reducing the effects of natural hazards. States may choose to include the requirements of the HMGP Administrative Plan in their mitigation plan, but must comply with the updates, amendments or revisions requirement listed under 44 CFR 206.437.

\* \* \* \* \*

4. Revise § 201.6(a) to read as follows:

##### § 201.6 Local Mitigation Plans.

\* \* \* \* \*

(a) *Plan requirements.*

(1) For disasters declared after November 1, 2004, a local government must have a mitigation plan approved pursuant to this section in order to receive HMGP project grants. Until November 1, 2004, local mitigation plans may be developed concurrent with the implementation of the HMGP project grant.

(2) By November 1, 2003, local governments must have a mitigation plan approved pursuant to this section in order to receive a project grant through the Pre-Disaster Mitigation (PDM) program, authorized under § 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5133. PDM planning grants will continue to be made available to all local governments after this time to enable them to meet the requirements of this section.

(3) Regional Directors may grant an exception to the plan requirement in extraordinary circumstances, such as in a small and impoverished community, when justification is provided. In these cases, a plan will be completed within 12 months of the award of the project grant. If a plan is not provided within this timeframe, the project grant will be terminated, and any costs incurred after notice of grant's termination will not be reimbursed by FEMA.

(4) Multi-jurisdictional plans (e.g. watershed plans) may be accepted, as appropriate, as long as each jurisdiction has participated in the process and has officially adopted the plan. State-wide plans will not be accepted as multi-jurisdictional plans.

\* \* \* \* \*

#### PART 206—FEDERAL DISASTER ASSISTANCE FOR DISASTERS DECLARED ON OR AFTER NOVEMBER 23, 1988

4. The authority for Part 206 continues to read as follows:

**Authority:** Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5121-5206; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376; E.O. 12148, 44 FR 43239, 3 CFR, 1979 Comp., p. 412; and E.O. 12673, 54 FR 12571, 3 CFR, 1989 Comp., p. 214.

5. Revise § 206.432(b)(1) to read as follows:

##### § 206.432 Federal grant assistance.

\* \* \* \* \*

(b) \* \* \*

(1) *Fifteen (15) Percent.* Effective November 1, 2004, a State with an approved Standard State Mitigation Plan, which meets the requirements outlined in 44 CFR 201.4, shall be eligible for assistance under the HMGP not to exceed 15 percent of the total estimated Federal assistance described in this paragraph. Until that date, existing, FEMA approved State Mitigation Plans will be accepted.

\* \* \* \* \*

6. Revise § 206.434(b)(1) to read as follows:

##### § 206.434 Eligibility.

\* \* \* \* \*

(b) \* \* \*

(1) For all disasters declared on or after November 1, 2004, local and tribal government applicants for subgrants must have an approved local mitigation plan in accordance with 44 CFR 201.6 prior to receipt of HMGP subgrant funding. Until November 1, 2004, local mitigation plans may be developed concurrent with the implementation of subgrants.

\* \* \* \* \*

Dated: September 26, 2002.

Joe M. Allbaugh,

Director.

[FR Doc. 02-24998 Filed 9-30-02; 8:45 am]

BILLING CODE 6718-05-P

#### FEDERAL COMMUNICATIONS COMMISSION

##### 47 CFR Part 73

[DA 02-2315, MB Docket No. 02-130, RM-10438]

##### Digital Television Broadcast Service; Des Moines, IA

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commission, at the request of Frank Duross, Kaleidoscope Partners, Caroline K. Powley, JJJH, LLP, Stead Communications, and ValueVision International, Inc., applicants for a new television station to operate on analog channel 69 at Des Moines, Iowa, substitutes DTV channel 56 for channel 69 at Des Moines. *See* 67 FR 39932, June 11, 2002. DTV channel 56 can be allotted to Des Moines in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates 41–38–05 N. and 93–34–46 W. with a power of 1000, HAAT of 151 meters and with a DTV service population of 645 thousand. With its action, this proceeding is terminated.

**DATES:** Effective November 8, 2002.

**FOR FURTHER INFORMATION CONTACT:** Pam Blumenthal, Media Bureau, (202) 418–1600.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Report and Order, MB Docket No. 02–130, adopted September 18, 2002, and released September 24, 2002. The full text of this document is available for public inspection and copying during regular business hours in the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC. This document may also be purchased from the Commission's duplicating contractor, Qualex International, Portals II, 445 12th Street, SW., CY–B402, Washington, DC 20554, telephone 202–863–2893, facsimile 202–863–2898, or via e-mail [qualexint@aol.com](mailto:qualexint@aol.com).

**List of Subjects in 47 CFR Part 73**

Digital television broadcasting, Television.

Part 73 of Title 47 of the Code of Federal Regulations is amended as follows:

**PART 73—[AMENDED]**

1. The authority citation for Part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

**§ 73.606 [Amended]**

2. Section 73.606(b), the Table of Television Allotments under Iowa, is amended by removing TV channel 69 at Des Moines.

**§ 73.622 [Amended]**

3. Section 73.622(b), the Table of Digital Television Allotments under Iowa, is amended by adding DTV channel 56 at Des Moines.

Federal Communications Commission.

**Barbara A. Kreisman,**

*Chief, Video Division, Media Bureau.*

[FR Doc. 02–24896 Filed 9–30–02; 8:45 am]

**BILLING CODE 6712–01–P**

**DEPARTMENT OF DEFENSE****48 CFR Parts 206, 207, 217, 223, 237, 242, 245, and 247 and Appendix G to Chapter 2****Defense Federal Acquisition Regulation Supplement; Technical Amendments**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Final rule.

**SUMMARY:** DoD is making technical amendments to the Defense Federal Acquisition Regulation Supplement to update activity names and addresses and references to DoD publications. **EFFECTIVE DATE:** October 1, 2002.

**FOR FURTHER INFORMATION CONTACT:** Ms. Michele Peterson, Defense Acquisition Regulations Council, OUSD(AT&L)DP(DAR), IMD 3C132, 3062 Defense Pentagon, Washington, DC 20301–3062. Telephone (703) 602–0311; facsimile (703) 602–0350.

**List of Subjects in 48 CFR Parts 206, 207, 217, 223, 237, 242, 245, and 247**

Government procurement.

**Michele P. Peterson,**

*Executive Editor, Defense Acquisition Regulations Council.*

Therefore, 48 CFR Parts 206, 207, 217, 223, 237, 242, 245, and 247 and Appendix G to Chapter 2 are amended as follows:

1. The authority citation for 48 CFR Parts 206, 207, 217, 223, 237, 242, 245, and 247 and Appendix G to subchapter I continues to read as follows:

**Authority:** 41 U.S.C. 421 and 48 CFR Chapter 1.

**PART 206—COMPETITION REQUIREMENTS****206.302–2 [Amended]**

2. Section 206.302–2 is amended in paragraph (b)(iv) by removing “DoDD 4410.6, Uniform Material Movement and Issue Priority System” and adding in its place “DoD 4140.1–R, DoD Materiel Management Regulation”.

**PART 207—ACQUISITION PLANNING****207.103 [Amended]**

3. Section 207.103 is amended in paragraph (h) introductory text, paragraph (h)(i)(A), twice in paragraph

(h)(i)(B), paragraph (h)(i)(C), paragraph (h)(ii) introductory text, and paragraph (h)(ii)(B) in the second sentence, by removing “SCMA” and adding in its place “SMCA”.

**207.105 [Amended]**

4. Section 207.105 is amended as follows:

a. In the introductory text, in the first sentence, by removing the parenthetical “(c)” and adding in its place “(d)”; and

b. In paragraph (b)(19)(C), by removing “DoDD 4210.15, Hazardous Material Pollution Prevention” and adding in its place “DoD Instruction 4715.4, Pollution Prevention”.

**PART 217—SPECIAL CONTRACTING METHODS****217.7600 [Amended]**

5. Section 217.7600 is amended in the second sentence by removing “DoDD 4140.40, Provisioning of End Items of Material” and adding in its place “DoD 4140.1–R, DoD Materiel Management Regulation, Chapter 1”.

**PART 223—ENVIRONMENT, CONSERVATION, OCCUPATIONAL SAFETY, AND DRUG-FREE WORKPLACE****223.7100 [Amended]**

6. Section 223.7100 is amended in the second sentence by removing “DoD Directive 6050.8, Storage and Disposal of Non-DoD-Owned Hazardous or Toxic Materials on DoD Installations” and adding in its place “DoD Instruction 4715.6, Environmental Compliance”.

**223.7102 [Amended]**

7. Section 223.7102 is amended in paragraph (b) by removing “DoD Directive 6050.8” and adding in its place “DoD Instruction 4715.6”.

**PART 237—SERVICE CONTRACTING****237.104 [Amended]**

8. Section 237.104 is amended in paragraph (b)(ii)(C)(1), in the first sentence, by removing “Contracting Authority for Direct” and adding in its place “Contracts for”.

**PART 242—CONTRACT ADMINISTRATION AND AUDIT SERVICES****242.1105 [Amended]**

9. Section 242.1105 is amended in paragraph (1)(i) by removing “DoD Directive 4410.6, Uniform Materiel Movement and Issue Priority System” and adding in its place “DoD 4140.1–R, DoD Materiel Management Regulation”.