

Dated: November 24, 2004.

**David B. Peterman,**

*Rear Admiral, U.S. Coast Guard, Commander,  
Seventh Coast Guard District.*

[FR Doc. 04-26748 Filed 12-3-04; 8:45 am]

**BILLING CODE 4910-15-P**

## LIBRARY OF CONGRESS

### Copyright Office

#### 37 CFR Part 201

[PA 2004-2]

### Inspection and Copying of Records

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** This document makes a non-substantive, technical amendment to a Copyright Office regulation.

**DATES:** This rule is effective January 5, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Sandra L. Jones, Writer-Editor, or Marilyn J. Kretsinger, Associate General Counsel, Copyright GC/I&R, PO Box 70400, Southwest Station, Washington, DC 20024. Telephone: (202) 707-8380. Telefax: (202) 707-8366.

**SUPPLEMENTARY INFORMATION:** This rule makes a technical amendment to 37 CFR 201 to remove the hours of direct public use of computers intended to access the automated equivalent of portions of the in-process files in the Records Maintenance Unit of the Copyright Office. New hours of 9:00 a.m. to 4:30 p.m. are being implemented; but for administrative reasons, the Office decided not to include the time schedule as part of the regulation.

The reason for the change is current staff resources. A very small staff, working on a fixed schedule of 8:30 a.m. to 5:00 p.m., covers this public area. Reducing the hours of public access, gives the staff needed time at the beginning and end of the day to open up and close down the area for the public. The new hours will both provide the staff with the time necessary to complete these tasks without working beyond their normal duty schedule and afford the public a sufficient amount of time to use the files.

#### List of Subjects in 37 CFR Part 201

Copyright.

#### Final Rule

■ For the reasons set forth in the preamble, 37 CFR part 201 is amended as follows:

## PART 201—GENERAL PROVISIONS

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

**Authority:** 17 U.S.C. 702

■ 2. Section 201.2(b)(2) is amended by removing “8:30 a.m. to 5:00,”.

Dated: December 1, 2004

**Marilyn J. Kretsinger,**

*Associate General Counsel.*

[FR Doc. 04-26740 Filed 12-3-04; 8:45 am]

**BILLING CODE 1410-30-S**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket No. FEMA-7857]

### Suspension of Community Eligibility

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**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 suspended 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 be withdrawn by publication in the **Federal Register**.

**EFFECTIVE DATES:** The effective date of each community's suspension is the third date (“Susp.”) listed in the third column of the following tables.

**ADDRESSES:** If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

**FOR FURTHER INFORMATION CONTACT:**

Michael M. Grimm, Mitigation Division, 500 C Street, SW., Room 412, Washington, DC 20472, (202) 646-2878.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. 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 flood insurance coverage as authorized under the National Flood Insurance Program, 42 U.S.C. 4001 *et seq.*; 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 *et seq.* 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. However, 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, the Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Insurance Rate Map (FIRM). 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 legally be provided for construction or acquisition of buildings in the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency's initial flood insurance map of 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 a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since

these notifications have been 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 they take remedial action.

**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.

**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.*

**Executive Order 12612, Federalism.** This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp.; p. 252.

**Executive Order 12778, Civil Justice Reform.** This rule meets the applicable

standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp.; p. 309.

#### 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 special flood hazard areas
<b>Region I</b>				
Maine: Kenduskeag, Town of, Penobscot County	230108	March 15, 1976, Emerg; September 18, 1985, Reg; December 2, 2004, Susp.	9/18/1985 .....	12/02/2004.
<b>Region IV</b>				
Alabama: Randolph County, Unincorporated Areas	010182	November 5, 2003, Emerg; November 5, 2003, Reg; December 2, 2004, Susp.	.....do .....	do.
Roanoke, City of, Randolph County .....	010348	May 3, 1995, Emerg; May 3, 1995, Reg; December 2, 2004, Susp.	.....do .....	do.
Wadley, Town of, Randolph County .....	010183	July 15, 1975, Emerg; August 19, 1985, Reg; December 2, 2004, Susp.	.....do .....	do.
Wedowee, Town of, Randolph County	010401	October 29, 1998, Emerg; October 29, 1998, Reg; December 2, 2004, Susp.	.....do .....	do.

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

David I. Maurstad,

Acting Mitigation Division Director,  
Emergency Preparedness and Response  
Directorate.

[FR Doc. 04–26695 Filed 12–3–04; 8:45 am]

BILLING CODE 9110–12–P

## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Parts 1, 27, 74, 90, and 101

[DA 04–2591; WT Docket No. 01–319; FCC 04–23]

**Practice and Procedure, Miscellaneous Wireless Communications Services, Experimental Radio, Auxiliary, Special Broadcast and Other Program Distributional Services, Private Land Mobile Radio Services, Fixed Microwave Services**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; correction.

**SUMMARY:** The Federal Communications Commission published in the **Federal Register** of April 6, 2004, (69 FR 17946), a document in the Quiet Zones proceeding, WT Docket No. 01–319, which incorrectly indicated in its **DATES** section that 47 CFR 1.924(a)(2) and 1.924(d)(2) contained information collection modifications that have not been approved by the Office of Management Budget (OMB). This document corrects the **DATES** section of the April 6, 2004 document as set forth below.

**DATES:** Effective June 7, 2004.

**FOR FURTHER INFORMATION CONTACT:** Linda C. Chang, Federal Communications Commission, Wireless Telecommunications Bureau, 445 12th St., Washington, DC 20554, (202) 418–0620.

**SUPPLEMENTARY INFORMATION:**

#### Background

The FCC published a document in the **Federal Register** of April 6, 2004, (69 FR 17946) regarding the adoption of changes to rules relating to areas known as “Quiet Zones.” In FR Doc. 04–7799, the document provided that the effective date of the document was June 7, 2004, except for 47 CFR 1.924(a)(2) and 1.924(d)(2) which were incorrectly identified as containing a new or modified information collection that required approval by OMB prior to becoming effective. Because 47 CFR 1.924(a)(2) and 1.924(d)(2) are not in fact subject to approval by OMB, the effective date of the April 6, 2004 document became effective, in its entirety, on June 7, 2004. This document corrects the document published in the **Federal Register** of April 6, 2004 (69 FR 17946) and September 23, 2004 (69 FR 56956) in the Quiet Zones proceeding, WT Docket No. 01–319 by correcting the **DATES** section.