

## TRAVEL EXPENSE INFORMATION—Continued

| Group name              | Data elements                                       | Description   |
|-------------------------|---|---|
|                         | POV mileage expense ..                              | Total amount claimed as authorized based on mileage rate. Different mileage rates apply based on type and use of the POV.         |
| Constructive cost ..... | Car rental, Taxis, Other<br>Constructive cost ..... | The difference between the amount authorized to spend versus the amount claimed.  |
| Reclaim .....           | Reclaim amount .....                                | An amount of money previously denied as reimbursement for which additional justification is now provided.                         |
| Total Claim .....       | Total claim .....                                   | The sum of the amount of money claimed for per diem, actual subsistence, mileage, transportation method cost, and other expenses. |

\* \* \* \* \*

**PART 304-3—EMPLOYEE RESPONSIBILITY**

■ 32. The authority citation for 41 CFR Part 304-3 continues to read as follows:

**Authority:** 5 U.S.C. 5707; 31 U.S.C. 1353.

■ 33. Revise § 304-3.9 to read as follows:

**§ 304-3.9 May I use other than coach-class accommodation on common carriers or other than lowest first-class accommodations on ships when a non-Federal source pays in full for my transportation expenses to attend a meeting?**

Yes, you may use other than coach-class accommodation on common carriers if you meet one of the criteria contained in § 301-10.123 or § 301-10.162 or you may use other than lowest first-class travel if you meet one of the criteria contained in § 301-10.183 of this Title, and are authorized to do so by your agency in accordance with § 304-5.5 of this Chapter.

**§ 304-3.10 [Removed and Reserved]**

■ 34. Remove and reserve § 304-3.10.

**PART 304-5—AGENCY RESPONSIBILITIES**

■ 35. The authority citation for 41 CFR Part 304-5 continues to read as follows:

**Authority:** 5 U.S.C. 5707; 31 U.S.C. 1353

■ 36. Revise § 304-5.5 to read as follows:

**§ 304-5.5 May we authorize an employee to travel by other than coach-class on common carriers or other than lowest first-class on ships if we accept payment in full from a non-Federal source for such transportation expenses?**

Yes, you may authorize an employee to travel by other than coach-class on common carriers or other than lowest first-class on ships as long as the:

- (a) Non-Federal source makes full payment for such transportation services in advance of travel; and
- (b) Transportation accommodations furnished are comparable in value to those offered to, or purchased by other similarly situated meeting attendees; and
- (c) Travel meets at least one of the conditions in §§ 301-10.123, 301-10.162, and 301-10.183 of this Title.

**§ 304-5.6 [Removed]**

■ 37. Remove § 304-5.6.

**§ 304-5.7 [Redesignated as § 304-5.6]**

■ 38. Section § 304-5.7 is redesignated as § 304-5.6.

[FR Doc. E9-25749 Filed 10-26-09; 8:45 am]

**BILLING CODE 6820-14-S**

**DEPARTMENT OF HOMELAND SECURITY****Federal Emergency Management Agency****44 CFR Part 64**

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8101]

**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 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 NFIP, 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. 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, FEMA has identified the Special Flood Hazard Areas (SFHAs) 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 identified SFHAs for communities not participating in the NFIP and identified for more than a year, on FEMA'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 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 IV</b>                         |               |   |                            |  |
| <b>Alabama:</b>                          |               |   |                            |  |
| Andalusia, City of, Covington County ... | 010331        | February 26, 1999, Emerg; N/A, Reg; November 4, 2009, Susp.                       | Nov. 4, 2009 .....         | Nov. 4, 2009   |
| Benton, Town of, Lowndes County .....    | 015002        | February 25, 1972, Emerg; April 6, 1973, Reg; November 4, 2009, Susp.             | *.....do .....             | Do.  |
| Conecuh County, Unincorporated Areas     | 010319        | March 31, 1998, Emerg; N/A, Reg; November 4, 2009, Susp.                          | .....do .....              | Do.  |
| Covington County, Unincorporated Areas.  | 010244        | August 4, 1989, Emerg; September 1, 1990, Reg; November 4, 2009, Susp.            | .....do .....              | Do.  |
| Evergreen, City of, Conecuh County ....  | 010051        | September 3, 1976, Emerg; May 26, 1998, Reg; November 4, 2009, Susp.              | .....do .....              | Do.  |
| Lowndes County, Unincorporated Areas     | 010272        | December 11, 1975, Emerg; August 15, 1984, Reg; November 4, 2009, Susp.           | .....do .....              | Do.  |
| Opp, City of, Covington County .....     | 010241        | October 20, 1975, Emerg; July 18, 1985, Reg; November 4, 2009, Susp.              | .....do .....              | Do.  |
| Red Level, Town of, Covington County     | 010243        | May 3, 1999, Emerg; N/A, Reg; November 4, 2009, Susp.                             | .....do .....              | Do.  |
| River Falls, Town of, Covington County   | 010054        | December 24, 1975, Emerg; July 8, 1977, Reg; November 4, 2009, Susp.              | .....do .....              | Do.  |
| <b>North Carolina:</b>                   |               |   |                            |  |
| Ashe County, Unincorporated Areas .....  | 370007        | August 4, 1975, Emerg; August 16, 1988, Reg; November 4, 2009, Susp.              | .....do .....              | Do.  |
| Jefferson, Town of, Ashe County .....    | 370008        | September 5, 1975, Emerg; August 16, 1988, Reg; November 4, 2009, Susp.           | .....do .....              | Do.  |
| Lansing, Town of, Ashe County .....      | 370374        | September 4, 1975, Emerg; August 5, 1986, Reg; November 4, 2009, Susp.            | .....do .....              | Do.  |
| West Jefferson, Town of, Ashe County     | 370009        | August 21, 1975, Emerg; June 4, 1987, Reg; November 4, 2009, 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 |
|--|---------------|---|----------------------------|--|
| <b>Region V</b>                                    |               |   |                            |  |
| Wisconsin:   |               |   |                            |  |
| Brandon, Village of, Fond Du Lac County.           | 550132        | March 31, 1975, Emerg; September 16, 1988, Reg; November 4, 2009, Susp.           | .....do .....              | Do.  |
| Campbellsport, Village of, Fond Du Lac County.     | 550133        | May 13, 1975, Emerg; May 15, 1978, Reg; November 4, 2009, Susp.                   | .....do .....              | Do.  |
| Fond Du Lac, City of, Fond Du Lac County.          | 550136        | March 8, 1974, Emerg; January 3, 1979, Reg; November 4, 2009, Susp.               | .....do .....              | Do.  |
| Fond Du Lac County, Unincorporated Areas.          | 550131        | April 2, 1974, Emerg; July 19, 1982, Reg; November 4, 2009, Susp.                 | .....do .....              | Do.  |
| Kewaskum, Village of, Washington County.           | 550474        | July 7, 1975, Emerg; January 6, 1982, Reg; November 4, 2009, Susp.                | .....do .....              | Do.  |
| Mount Calvary, Village of, Fond Du Lac County.     | 550137        | August 1, 1975, Emerg; September 30, 1976, Reg; November 4, 2009, Susp.           | .....do .....              | Do.  |
| North Fond Du Lac, Village of, Fond Du Lac County. | 550138        | March 27, 1975, Emerg; December 4, 1979, Reg; November 4, 2009, Susp.             | .....do .....              | Do.  |
| Ripon, City of, Fond Du Lac County .....           | 550140        | July 2, 1975, Emerg; August 15, 1980, Reg; November 4, 2009, Susp.                | .....do .....              | Do.  |
| Rosendale, Village of, Fond Du Lac County.         | 550141        | October 20, 1975, Emerg; September 29, 1989, Reg; November 4, 2009, Susp.         | .....do .....              | Do.  |
| St. Cloud, Village of, Fond Du Lac County.         | 550142        | April 23, 1976, Emerg; July 1, 1987, Reg; November 4, 2009, Susp.                 | .....do .....              | Do.  |
| Waupun, City of, Fond Du Lac County                | 550108        | January 21, 1975, Emerg; August 15, 1984, Reg; November 4, 2009, Susp.            | .....do .....              | Do.  |
| <b>Region VII</b>                                  |               |   |                            |  |
| Kansas:  |               |   |                            |  |
| McLouth, City of, Jefferson County .....           | 200148        | July 21, 1975, Emerg; July 20, 1984, Reg; November 4, 2009, Susp.                 | .....do .....              | Do.  |
| Oskaloosa, City of, Jefferson County ....          | 200151        | November 21, 1975, Emerg; August 3, 1984, Reg; November 4, 2009, Susp.            | .....do .....              | Do.  |
| Missouri:  |               |   |                            |  |
| Marthasville, City of, Warren County ....          | 290444        | September 14, 1983, Emerg; September 14, 1983, Reg; November 4, 2009, Susp.       | .....do .....              | Do.  |
| Warren County, Unincorporated Areas                | 290443        | June 1, 1984, Emerg; April 3, 1985, Reg; November 4, 2009, Susp.                  | .....do .....              | Do.  |
| Wright City, City of, Warren County .....          | 290654        | NA, Emerg; March 26, 2008, Reg; November 4, 2009, Susp.                           | .....do .....              | Do.  |
| <b>Region VIII</b>                                 |               |   |                            |  |
| South Dakota:                                      |               |   |                            |  |
| Big Stone City, City of, Grant County ...          | 460156        | July 11, 1995, Emerg; July 1, 1998, Reg; November 4, 2009, Susp.                  | .....do .....              | Do.  |
| Milbank, City of, Grant County .....               | 460200        | April 23, 1980, Emerg; December 9, 1985, Reg; November 4, 2009, Susp.             | .....do .....              | Do.  |
| Revillo, Town of, Grant County .....               | 460031        | June 30, 1975, Emerg; October 1, 1986, Reg; November 4, 2009, Susp.               | .....do .....              | Do.  |
| Wyoming:   |               |   |                            |  |
| Converse County, Unincorporated Areas.             | 560082        | April 22, 1983, Emerg; April 5, 1988, Reg; November 4, 2009, Susp.                | .....do .....              | Do.  |
| Douglas, City of, Converse County .....            | 560013        | October 2, 1975, Emerg; October 17, 1978, Reg; November 4, 2009, Susp.            | .....do .....              | Do.  |
| Glenrock, Town of, Converse County ...             | 560014        | June 2, 1975, Emerg; November 15, 1985, Reg; November 4, 2009, Susp.              | .....do .....              | Do.  |

\*.....Do = Ditto.

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

Dated: October 9, 2009.

**Edward L. Connor,**

*Acting Assistant Administrator, Mitigation Directorate, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. E9-25835 Filed 10-26-09; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 65

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-B-1070]

#### Changes in Flood Elevation Determinations

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

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

**DATES:** These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Maps (FIRMs) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to request through the community that the FEMA Assistant Administrator for Mitigation reconsider the changes. The modified BFEs may be changed during the 90-day period.

**ADDRESSES:** The modified BFEs for each community are available for inspection

at the office of the Chief Executive Officer of each community. The respective addresses are listed in the table below.

#### FOR FURTHER INFORMATION CONTACT:

Kevin C. Long, Engineering Management Branch, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2820.

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided. Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in the National Flood Insurance Program (NFIP).

These modified BFEs, 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 the

other Federal, State, or regional entities. The changes in BFEs are in accordance with 44 CFR 65.4.

#### *National Environmental Policy Act.*

This interim rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

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

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

#### List of Subjects in 44 CFR Part 65

Flood insurance, Floodplains, Reporting and recordkeeping requirements.

■ Accordingly, 44 CFR part 65 is amended to read as follows:

#### PART 65—[AMENDED]

■ 1. The authority citation for part 65 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.

#### § 65.4 [Amended]

■ 2. The tables published under the authority of § 65.4 are amended as follows:

| State and county | Location and case No.                    | Date and name of newspaper where notice was published of sale of flood insurance in community | Chief executive officer of community  | Effective date of modification | Community No. |
|------------------|--|---|---|--------------------------------|---------------|
| Colorado:        |  |   |   |                                |               |
| Arapahoe .....   | City of Aurora (09-08-0620P).            | July 2, 2009; July 9, 2009; <i>Aurora Sentinel</i> .  | The Honorable Ed Tauer, Mayor, City of Aurora, 15151 East Alameda Parkway, Aurora, CO 80012.                            | June 23, 2009 .....            | 080002        |
| Arapahoe .....   | City of Sheridan (09-08-0267P).          | June 12, 2009; June 19, 2009; <i>Englewood Herald</i> .                                       | The Honorable Mary Carter, Mayor, City of Sheridan, 4101 South Federal Boulevard, Sheridan, CO 80110.                   | October 19, 2009 .....         | 080018        |
| Denver .....     | City and County of Denver (09-08-0620P). | July 2, 2009; July 9, 2009; <i>Denver Post</i> .  | The Honorable John W. Hickenlooper, Mayor, City and County of Denver, 1437 Bannock Street, Suite 350, Denver, CO 80202. | June 23, 2009 .....            | 080046        |
| Florida:         |  |   |   |                                |               |
| Marion .....     | City of Ocala (09-04-0503P).             | June 25, 2009; July 2, 2009; <i>Star Banner</i> .   | The Honorable Randy Ewers, Mayor, City of Ocala, P.O. Box 1270, Ocala, FL 34478.  | June 12, 2009 .....            | 120330        |