

State/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Hays County, unincorporated County	480321	Sept. 23, 1982, June 16, 1993, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
Kyle, city of, Hays County	481108	Apr. 15, 1975, Dec. 12, 1978, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
San Marcos, city of, Hays County	485505	Oct. 9, 1970, Aug. 27, 1971, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
Woodcreek, city of, Hays County	481641	May 21, 1992, June 2, 1993, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
Region VII				
Missouri: Park Hills, city of, St. Francois County.	290920	Mar. 22, 1995, Feb. 18, 1998, Reg: Susp. ...	.....do	Do.
Region VIII				
Montana:				
Wibaux, town of, Wibaux County	300084	Sept. 26, 1974, Mar. 4, 1988, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
Wibaux County, unincorporated areas ...	300173	Mar. 22, 1978, Mar. 4, 1988, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
South Dakota: Rapid City, city of, Pennington County.	465420	Apr. 2, 1971, Sept. 14, 1973, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
Region IX				
Nevada: Eureka County, unincorporated areas.	320028	Mar. 9, 1984, Apr. 1, 1988, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
Region X				
Oregon:				
Bandon, city of, Coos County	410043	Oct. 11, 1974, Aug. 15, 1984, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
Glendale, city of, Douglas County	410063	Feb. 18, 1975, Sept. 29, 1978, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.
Riddle, city of, Douglas County	410066	July 22, 1975, Aug. 1, 1979, Feb. 18, 1998, Emerg.; Reg.; Susp.	.....do	Do.

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

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Issued: January 30, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 98-3438 Filed 2-10-98; 8:45 am]

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FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Part 64

[Docket No. FEMA-7681]

List of Communities Eligible for the Sale of Flood Insurance

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Final rule.

SUMMARY: This rule identifies communities participating in the National Flood Insurance Program (NFIP). These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes

the sale of flood insurance to owners of property located in the communities listed.

EFFECTIVE DATES: The dates listed in the third column of the table.

ADDRESSES: Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community, or from the NFIP at: Post Office Box 6464, Rockville, MD 20849, (800) 638-6620.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea, Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street SW., room 417, Washington, DC 20472, (202) 646-3619.

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 measures aimed at protecting lives and new construction from future flooding. Since the communities on the attached list have recently entered the NFIP,

subsidized flood insurance is now available for property in the community.

In addition, the Associate Director of the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 102 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Associate Director finds that the delayed effective dates would be contrary to the public interest. The Associate Director also finds that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

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 Associate Director certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

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/location	Community No.	Effective date of eligibility	Current effective map date
New Eligibles—Emergency Program			
Ohio: Edon, village of, Williams County	390827	December 4, 1997	October 6, 1978.
Kentucky:			
Cadiz, city of, Trigg County	210354	December 15, 1997	September 29, 1978.
Trigg County, unincorporated areas	210315	.....do	August 26, 1977.
Michigan:			
Blendon, township of, Ottawa County	261005	December 22, 1997.	
Burlington, township of, Lapeer County	261010	.....do	
Fremont, township of, Tuscola County	261008	.....do	
Higgins, township of, Roscommon County	261011	.....do	
Juniata, township of, Tuscola County	261007	.....do	
Marathon, township of, Lapeer County	260609	.....do	
Metamora, village of, Lapeer County	261009	.....do	
Olive, township of, Ottawa County	261006	.....do	
Georgia:			
Ashburn, city of, Turner County	130557	December 29, 1997.	
Lamar County, unincorporated areas	130556	.....do	
New Eligibles—Regular Program			
Illinois: Greenwood, village of, McHenry County ¹	171057	December 4, 1997	May 19, 1997.
California: Carmel-By-The-Sea, city of, Monterey County.	060196	December 18, 1997	NSFHA.
Reinstatements			
Pennsylvania:			
North Belle Vernon, borough of, Westmoreland County.	422182	March 7, 1978, Emerg.; September 30, 1980, Reg.; August 5, 1997, Susp.; December 4, 1997, Rein.	August 5, 1997.
Unity, township of, Westmoreland County	420964	December 26, 1973, Emerg.; July 17, 1978, Reg.; August 5, 1997, Susp.; December 4, 1997, Rein.	Do.
New York: Smithfield, town of, Madison County	361294	November 24, 1975, Emerg.; April 17, 1985, Reg.; June 15, 1988, Susp.; December 16, 1997, Rein.	April 17, 1985.
Regular Program Conversions			
Region I			
New Hampshire:			
Bridgewater, town of, Grafton County	330046	December 5, 1997, Suspension Withdrawn	December 5, 1997.
Region III			
Pennsylvania:			
Albany, township of, Berks County	421046	.....do	Do.
Alsace, township of, Berks County	421376	.....do	Do.
Amity, township of, Berks County	420124	.....do	Do.
Bern, township of, Berks County	421050	.....do	Do.
Bernville, borough of, Berks County	421051	.....do	Do.
Bethel, township of, Berks County	421052	.....do	Do.
Birdsboro, borough of, Berks County	420127	.....do	Do.
Boyertown, borough of, Berks County	420128	.....do	Do.
Brecknock, township of, Berks County	421053	.....do	Do.
Centerport, borough of, Berks County	420129	.....do	Do.
Colebrookdale, township of, Berks County	421057	.....do	Do.
Cumru, township of, Berks County	420130	.....do	Do.
District, township of, Berks County	421378	.....do	Do.
Douglass, township of, Berks County	420131	.....do	Do.
Earl, township of, Berks County	420132	.....do	Do.
Greenwich, township of, Berks County	421067	.....do	Do.

State/location	Community No.	Effective date of eligibility	Current effective map date
Hamburg, borough of, Berks County	420134	.....do	Do.
Heidelberg, township of, Berks County	421069	.....do	Do.
Hereford, township of, Berks County	421379	.....do	Do.
Jefferson, township of, Berks County	421071	.....do	Do.
Kenhorst, borough of, Berks County	420135	.....do	Do.
Kutztown, borough of, Berks County	420136	.....do	Do.
Leesport, borough of, Berks County	420138	.....do	Do.
Lenhartsville, borough of, Berks County	420139	.....do	Do.
Lower Alsace, township of, Berks County.	420140	.....do	Do.
Lower Heidelberg, Township of, Berks County	421077	.....do	Do.
Maiden Creek, township of, Berks County.	421078	.....do	Do.
Marion, township of, Berks County	421079	.....do	Do.
Maxatawny, township of, Berks County	421381	.....do	Do.
Mohnton, borough of, Berks County	420142	.....do	Do.
Muhlenberg, township of, Berks County	420144	.....do	Do.
Oley, township of, Berks County	420965	.....do	Do.
Ontelaunee, township of, Berks County	420966	.....do	Do.
Penn, township of, Berks County	421091	.....do	Do.
Perry, township of, Berks County	421093	.....do	Do.
Pike, township of, Berks County	421382	.....do	Do.
Reading, city of, Berks County	420145	.....do	Do.
Richmond, township of, Berks County	421096	.....do	Do.
Robeson, township of, Berks County	420146	.....do	Do.
Robesonia, borough of, Berks County	420147	.....do	Do.
Rockland, township of, Berks County	421098	.....do	Do.
Ruscombmanor, township of, Berks County	421099	.....do	Do.
Shillington, borough of, Berks County	420148	.....do	Do.
Sinking Spring, borough of, Berks County.	420150	.....do	Do.
South Heidelberg, township of, Berks County ...	421107	.....do	Do.
Spring, township of, Berks County	421108	.....do	Do.
St. Lawrence, borough of, Berks County	420151	.....do	Do.
Strausstown, borough of, Berks County	420152	.....do	Do.
Temple, borough of, Berks County	420153	.....do	Do.
Tilden, township of, Berks County	421112	.....do	Do.
Topton, borough of, Berks County	420154	.....do	Do.
Tulpehocken, township of, Berks County	421115	.....do	Do.
Union, township of, Berks County	420155	.....do	Do.
Upper Bern, township of, Berks County	421118	.....do	Do.
Upper Tulpehocken, township of, Berks County	421120	.....do	Do.
Washington, township of, Berks County	421383	.....do	Do.
Wernersville, borough of, Berks County	421374	.....do	Do.
West Reading, borough of, Berks County.	420156	.....do	Do.
Womelsdorf, borough of, Berks County	420157	.....do	Do.
Wyomissing, borough of, Berks County	421375	.....do	Do.
Virginia: Pulaski County, unincorporated areas	510125	December 19, 1997 Suspension Withdrawn	December 19, 1997.
Region V			
Ohio: Beachwood, city of, Cuyahoga County	390094	.....do	Do.
Region VI			
Arkansas: Calhoun County, unincorporated areas ...	050421	.....do	Do.
Oklahoma:			
Chelsea, city of, Rogers County	400187	.....do	Do.
Ottawa County, unincorporated areas	400154	.....do	Do.
Texas:			
Collin County, unincorporated areas	480130	.....do	Do.
Murphy, city of, Collin County	480137	.....do	Do.
Parker, city of, Collin County	480139	.....do	Do.
Region VII			
Kansas: Lindsborg, city of, McPherson County	200215	.....do	Do.
Missouri: Lamar, city of, Barton County	290025	.....do	Do.
Region IX			
Arizona:			
Camp Verde, town of, Yavapai County	040131	.....do	Do.
Yavapai County, unincorporated areas	040093	.....do	Do.
California: Sunnyvale, city of, Santa Clara County ...	060352	.....do	Do.

Code for reading third column: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension; With.—Withdrawn; NSFHA—Non Special Flood Hazard Area.

¹ The Village of Greenwood has adopted the McHenry County (CID# 170732) Flood Insurance Rate Map dated May 19, 1997.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Issued: January 30, 1998.

Michael J. Armstrong,

Associate Director for Mitigation.

[FR Doc. 98-3437 Filed 2-10-98; 8:45 am]

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NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

45 CFR Part 1156

Nondiscrimination on the Basis of Age

AGENCY: National Endowment for the Arts, National Foundation on the Arts and the Humanities.

ACTION: Final rule.

SUMMARY: The National Endowment for the Arts (NEA) is the Federal grantmaking agency that Congress created to support the visual, literary, design and performing arts, to benefit all Americans. The NEA's mission is to foster the excellence, diversity and vitality of the arts in the United States and to broaden public access to the arts. The NEA is adopting regulations to carry out its responsibilities under the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.) (the Act). The regulations are consistent with and reflect standards and procedures included in general government-wide regulations issued by the Department of Health and Human Services and published in the **Federal Register** June 12, 1979, 44 FR 33768 (1979).

The Act of 1975 prohibits discrimination on the basis of age in programs and activities receiving Federal financial assistance. The Act also permits federally assisted programs and activities, and recipients of Federal funds, to continue to use certain age distinctions and factors other than age which meet the requirements of the Act and these regulations.

DATES: Effective February 11, 1998.

FOR FURTHER INFORMATION CONTACT: Karen Elias, Deputy General Counsel, (202) 682-5418.

SUPPLEMENTARY INFORMATION:

Background

The regulations are consistent with and reflect standards and procedures included in general government-wide regulations issued by the Department of Health and Human Services (HHS) and published in the **Federal Register** June 12, 1979, 44 FR 33768 (1979). The Act prohibits discrimination on the basis of age in programs and activities receiving Federal financial assistance. The Act

also permits federally assisted programs and activities, and recipients of Federal funds, to continue to use certain age distinctions and factors other than age which meet the requirements of the Act and these regulations.

45 CFR Section 90.31(b) of the HHS government-wide regulations required Federal agencies with statutory authority to extend Federal financial assistance to issue agency regulations applicable to the specific programs and activities administered by that agency. In addition to publishing specific regulations consistent with HHS government-wide regulations, the following actions are required to be taken by the NEA in connection with implementation of the Act.

(1) An appendix is required to be included in NEA regulations listing all age distinctions which appear in federal statutes and regulations and effect the agency's programs of financial assistance. A review of the National Foundation on the Arts and the Humanities Act of 1965, as amended, 20 U.S.C. 951 et seq., and NEA regulations reveals no statutory age distinctions used by the NEA in the administration of agency programs.

(2) As a second step in the public administration process, the NEA must review any age distinctions it imposes on its recipients by regulation, policy or administrative practice in order to determine whether these distinctions are permissible under the Act. The results of this review must be included in a report that the agency shall publish, for public comment, in the **Federal Register**, no later than 12 months from the date the agency publishes its final regulations. The NEA will conduct and publish this review no later than 12 months from the date of the publication of its Final Rule.

(3) The NEA is required to report annually to the Congress through HHS on its compliance and enforcement activities. The NEA regularly files this report.

(4) The NEA is required to provide written notices to each recipient of the recipient's obligations under the Act, to provide technical assistance to the recipients where necessary, and to make available educational materials explaining the rights and obligations of beneficiaries and recipients.

(5) The NEA is required to establish a procedure for processing complaints of age discrimination. The complaint handling procedure must include an initial screening by the NEA and notice to complainants and recipients of their rights and obligations in the complaint process. All complaints which fall within the coverage of the Act will be

referred to the agency designated by the Secretary of HHS to manage the mediation process.

(6) The NEA must review the effectiveness of its regulations 30 months after their effective date. The review is to be published in the **Federal Register** with an opportunity for public comment.

The NEA received comments on its proposed rulemaking from the HHS Office of Civil Rights. After analyzing the comments received, all except for one of HHS's comments have been incorporated into the final rule.

The proposed regulations listed Sections 1156.11 *Notice to Subrecipients*, 1156.12 *Self-Evaluation*, 1156.13 *Information Requirements*, 1156.15 *Complaints*, 1156.16 *Mediation*, 1156.17 *Investigation*, and 1156.21 *Exhaustion of administrative remedies* as containing information collection requirements which must be submitted to OMB under the *Paper Reduction Act of 1980*, 44 U.S.C. 5301 et seq. (1982). HHS's conclusion that these sections do not contain information collection requirements subject to OMB clearance was adopted for the reasons listed below.

Section 3518(c)(1)(B) of the Paper Reduction Act exempts from OMB approval, collections of information "* * * during the conduct of * * * (ii) an administrative action or investigation involving an agency against specific individuals or entities." Therefore, as originally stated in the Proposed Regulations, the NEA need not submit Sections 1156.13, 1156.16, 1156.17 and 1156.21 to OMB for approval since all four of these requirements are tied to the agency's authority to investigate.

Moreover, the mandatory self-evaluation requirement contained in 1156.12 of the proposed regulation requiring recipients to complete a self-evaluation was disapproved and invalidated by OMB. NEA will, therefore, adopt the approach used in the HHS regulations set forth at 45 CFR 91.33(b). This approach provides NEA with discretionary authority to require a self-evaluation requirement as part of an investigation thereby eliminating any Paperwork Reduction Act problems because it is discretionary and tied to the authority to investigate.

Sections 1156.15 and 1156.11 are also not subject to OMB clearance because neither provision involves a "collection of information" within the meaning of the Act. Section 1156.15 provides individuals "may file" complaints and Section 1156.11 requires notice to subrecipients of their obligations under the Act and the regulations.