

(iv) A description of any further action VA will take regarding the claim, including, but not limited to, notice that VA will decide the claim based on the evidence of record unless the claimant submits the records VA was unable to obtain; and

(v) A notice that the claimant is ultimately responsible for obtaining the evidence.

(5) If VA becomes aware of the existence of relevant records before deciding the claim, VA will notify the claimant of the existence of such records and ask that the claimant provide a release for the records. If the claimant does not provide any necessary release of the relevant records that VA is unable to obtain, VA will ask that the claimant obtain the records and provide them to VA.

(6) For the purpose of this section, if VA must notify the claimant, VA will provide notice to:

- (i) The claimant;
- (ii) His or her fiduciary, if any; and
- (iii) His or her representative, if any.

(Authority: 38 U.S.C. 5102, 5103(a), 5103A)

#### Subpart M—Vocational Training and Rehabilitation for Certain Children of Vietnam Veterans—Spina Bifida and Covered Birth Defects

■ 5. The authority citation for part 21, subpart M continues to read as follows:

**Authority:** 38 U.S.C. 101, 501, 512, 1151 note, ch. 18, 5112, and as noted in specific sections.

■ 6. Add § 21.8015 to read as follows:

#### § 21.8015 Notification by VA of necessary information or evidence when a claim is filed; time for claimant response and VA action; and VA's duty to assist claimants in obtaining evidence.

The provisions of §§ 21.32 and 21.33 of subpart A of this part also apply to claims for benefits and services under this subpart.

[FR Doc. E9-15860 Filed 7-2-09; 8:45 am]

BILLING CODE 8320-01-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA-2008-0020; Internal Agency Docket No. FEMA-8081]

#### 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 I</b>				
<b>Massachusetts:</b>				
Acushnet, City of, Bristol County .....	250048	April 3, 1981, Emerg; July 19, 1982, Reg; July 7, 2009, Susp.	July 7, 2009 .....	July 7, 2009.
Attleboro, City of, Bristol County .....	250049	August 16, 1974, Emerg; September 29, 1978, Reg; July 7, 2009, Susp.	.....do* .....	Do.
Berkley, Town of, Bristol County .....	250050	February 19, 1974, Emerg; July 3, 1978, Reg; July 7, 2009, Susp.	.....do .....	Do.
Dartmouth, Town of, Bristol County .....	250051	September 10, 1971, Emerg; August 15, 1977, Reg; July 7, 2009, Susp.	.....do .....	Do.
Dighton, Town of, Bristol County .....	250052	March 9, 1973, Emerg; June 18, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.
Easton, Town of, Bristol County .....	250053	August 15, 1974, Emerg; February 3, 1982, Reg; July 7, 2009, Susp.	.....do .....	Do.
Fairhaven, Town of, Bristol County .....	250054	October 8, 1971, Emerg; March 16, 1976, Reg; July 7, 2009, Susp.	.....do .....	Do.
Fall River, City of, Bristol County .....	250055	September 14, 1977, Emerg; September 30, 1981, Reg; July 7, 2009, Susp.	.....do .....	Do.
Freetown, Town of, Bristol County .....	250056	August 11, 1975, Emerg; June 18, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.
Mansfield, Town of, Bristol County .....	250057	January 28, 1972, Emerg; April 1, 1977, Reg; July 7, 2009, Susp.	.....do .....	Do.
New Bedford, City of, Bristol County .....	255216	February 25, 1972, Emerg; July 6, 1973, Reg; July 7, 2009, Susp.	.....do .....	Do.
North Attleborough, Town of, Bristol County.	250059	February 10, 1975, Emerg; September 14, 1979, Reg; July 7, 2009, Susp.	.....do .....	Do.
Norton, Town of, Bristol County .....	250060	March 20, 1974, Emerg; June 1, 1979, Reg; July 7, 2009, Susp.	.....do .....	Do.
Raynham, Town of, Bristol County .....	250061	June 23, 1975, Emerg; July 2, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.
Rehoboth, Town of, Bristol County .....	250062	February 11, 1972, Emerg; September 1, 1977, Reg; July 7, 2009, Susp.	.....do .....	Do.
Salisbury, Town of, Bristol County .....	250103	November 17, 1972, Emerg; May 2, 1977, Reg; July 7, 2009, Susp.	.....do .....	Do.
Seekonk, Town of, Bristol County .....	250063	July 25, 1975, Emerg; September 5, 1979, Reg; July 7, 2009, Susp.	.....do .....	Do.
Somerset, Town of, Bristol County .....	255220	November 13, 1970, Emerg; March 17, 1972, Reg; July 7, 2009, Susp.	.....do .....	Do.
Swansea, Town of, Bristol County .....	255221	June 12, 1970, Emerg; August 6, 1971, Reg; July 7, 2009, Susp.	.....do .....	Do.
Taunton, City of, Bristol County .....	250066	June 11, 1973, Emerg; June 18, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.
Westport, Town of, Bristol County .....	255224	August 7, 1970, Emerg; July 16, 1971, Reg; July 7, 2009, Susp.	.....do .....	Do.
<b>Maine:</b>				
Andover, Town of, Oxford County .....	230160	October 31, 1975, Emerg; January 3, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Bethel, Town of, Oxford County .....	230088	August 18, 1975, Emerg; May 2, 1991, Reg; July 7, 2009, Susp.	.....do .....	Do.
Buckfield, Town of, Oxford County .....	230090	August 5, 1975, Emerg; November 1, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Byron, Town of, Oxford County .....	230330	July 15, 1975, Emerg; September 4, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Canton, Town of, Oxford County .....	230091	July 3, 1975, Emerg; November 3, 1989, Reg; July 7, 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
Denmark, Town of, Oxford County .....	230476	May 7, 1976, Emerg; July 2, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.
Dixfield, Town of, Oxford County .....	230092	June 23, 1975, Emerg; March 4, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Fryeburg, Town of, Oxford County .....	230093	April 7, 1975, Emerg; July 16, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.
Greenwood, Town of, Oxford County ...	230332	June 24, 1976, Emerg; September 4, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Hanover, Town of, Oxford County .....	230333	August 11, 1975, Emerg; September 4, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Hartford, Town of, Oxford County .....	230334	May 21, 1976, Emerg; November 1, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Hebron, Town of, Oxford County .....	230335	April 21, 1976, Emerg; December 31, 1976, Reg; July 7, 2009, Susp.	.....do .....	Do.
Hiram, Town of, Oxford County .....	230094	July 30, 1975, Emerg; February 1, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.
Lovell, Town of, Oxford County .....	230336	July 15, 1975, Emerg; February 17, 1989, Reg; July 7, 2009, Susp.	.....do .....	Do.
Mexico, Town of, Oxford County .....	230095	November 17, 1972, Emerg; August 15, 1977, Reg; July 7, 2009, Susp.	.....do .....	Do.
Milton, Township of, Oxford County .....	230460	March 19, 1975, Emerg; April 17, 1987, Reg; July 7, 2009, Susp.	.....do .....	Do.
Newry, Town of, Oxford County .....	230337	December 30, 1975, Emerg; September 4, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Norway, Town of, Oxford County .....	230096	November 11, 1974, Emerg; September 4, 1991, Reg; July 7, 2009, Susp.	.....do .....	Do.
Otisfield, Town of, Oxford County .....	230203	January 29, 1976, Emerg; May 19, 1981, Reg; July 7, 2009, Susp.	.....do .....	Do.
Oxford, Town of, Oxford County .....	230869	July 16, 1975, Emerg; May 2, 1991, Reg; July 7, 2009, Susp.	.....do .....	Do.
Paris, Town of, Oxford County .....	230097	February 28, 1975, Emerg; September 27, 1991, Reg; July 7, 2009, Susp.	.....do .....	Do.
Peru, Town of, Oxford County .....	230098	October 24, 1975, Emerg; May 17, 1990, Reg; July 7, 2009, Susp.	.....do .....	Do.
Porter, Town of, Oxford County .....	230338	October 7, 1976, Emerg; December 4, 1979, Reg; July 7, 2009, Susp.	.....do .....	Do.
Roxbury, Town of, Oxford County .....	230181	October 24, 1975, Emerg; September 4, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Rumford, Town of, Oxford County .....	230099	March 9, 1973, Emerg; July 16, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.
Stoneham, Town of, Oxford County .....	230340	October 1, 1975, Emerg; January 3, 1986, Reg; July 7, 2009, Susp.	.....do .....	Do.
Stow, Town of, Oxford County .....	230186	February 20, 1976, Emerg; November 14, 1978, Reg; July 7, 2009, Susp.	.....do .....	Do.
Sumner, Town of, Oxford County .....	230187	August 5, 1975, Emerg; September 27, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Sweden, Town of, Oxford County .....	230341	July 22, 1975, Emerg; October 31, 1978, Reg; July 7, 2009, Susp.	.....do .....	Do.
<b>Region III</b>				
Virginia:				
Brunswick County, Unincorporated Areas.	510236	April 4, 1974, Emerg; February 6, 1991, Reg; July 7, 2009, Susp.	.....do .....	Do.
Emporia, City of, Independent City .....	510047	February 5, 1974, Emerg; September 30, 1977, Reg; July 7, 2009, Susp.	.....do .....	Do.
Greensville County, Unincorporated Areas.	510073	February 25, 1974, Emerg; September 29, 1978, Reg; July 7, 2009, Susp.	.....do .....	Do.
Jarratt, Town of, Greensville County .....	510263	March 5, 1975, Emerg; October 8, 1982, Reg; July 7, 2009, Susp.	.....do .....	Do.
Lawrenceville, Town of, Brunswick County.	510023	May 28, 1974, Emerg; July 17, 1978, Reg; July 7, 2009, Susp.	.....do .....	Do.
Stony Creek, Town of, Sussex County	510159	April 9, 1974, Emerg; September 16, 1982, Reg; July 7, 2009, Susp.	.....do .....	Do.
Sussex County, Unincorporated Areas	510192	December 11, 1973, Emerg; March 2, 1983, Reg; July 7, 2009, Susp.	.....do .....	Do.
West Virginia: Berkeley County, Unincorporated Areas.	540282	July 29, 1975, Emerg; August 4, 1988, Reg; July 7, 2009, Susp.	.....do .....	Do.
<b>Region IV</b>				
Alabama:				
Ardmore, Town of, Limestone County ..	010306	July 9, 1979, Emerg; April 15, 1986, Reg; July 7, 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
Athens, City of, Limestone County .....	010146	April 11, 1974, Emerg; September 28, 1979, Reg; July 7, 2009, Susp.	.....do .....	Do.
Limestone County, Unincorporated Areas.	010307	September 2, 1975, Emerg; July 16, 1981, Reg; July 7, 2009, Susp.	.....do .....	Do.
Mooresville, Town of, Limestone County.	010455	December 23, 2008, Emerg; NA, Reg; July 7, 2009, Susp.	.....do .....	Do.
Kentucky: Liberty, City of, Cassey County ...	210054	May 12, 1975, Emerg; July 3, 1986, Reg; July 7, 2009, Susp.	.....do .....	Do.
North Carolina:				
Cajahs Mountain, Town of, Caldwell County.	370452	NA, Emerg; March 6, 1990, Reg; July 7, 2009, Susp.	.....do .....	Do.
Caldwell County, Unincorporated Areas	370039	June 19, 1978, Emerg; August 16, 1988, Reg; July 7, 2009, Susp.	.....do .....	Do.
Gamewell, Town of, Caldwell County ...	370451	NA, Emerg; February 15, 2000, Reg; July 7, 2009, Susp.	.....do .....	Do.
Granite Falls, Town of, Caldwell County	370414	August 9, 1988, Emerg; August 16, 1988, Reg; July 7, 2009, Susp.	.....do .....	Do.
Hudson, Town of, Caldwell County .....	370450	NA, Emerg; March 6, 1990, Reg; July 7, 2009, Susp.	.....do .....	Do.
Lenoir, City of, Caldwell County .....	370040	March 29, 1978, Emerg; August 16, 1988, Reg; July 7, 2009, Susp.	.....do .....	Do.
<b>Region V</b>				
Ohio:				
Centerburg, Village of, Knox County .....	390307	June 27, 1975, Emerg; January 6, 1982, Reg; July 7, 2009, Susp.	.....do .....	Do.
Danville, Village of, Knox County .....	390308	June 12, 1975, Emerg; August 24, 1984, Reg; July 7, 2009, Susp.	.....do .....	Do.
Gambier, Village of, Knox County .....	390310	February 3, 1976, Emerg; January 30, 1981, Reg; July 7, 2009, Susp.	.....do .....	Do.
Knox County, Unincorporated Areas .....	390306	NA, Emerg; October 27, 1993, Reg; July 7, 2009, Susp.	.....do .....	Do.
Mount Vernon, City of, Knox County ....	390311	January 21, 1974, Emerg; August 2, 1982, Reg; July 7, 2009, Susp.	.....do .....	Do.
<b>Region X</b>				
Idaho:				
Bannock County, Unincorporated Areas	160009	April 30, 1974, Emerg; September 5, 1979, Reg; July 7, 2009, Susp.	.....do .....	Do.
Downey, City of, Bannock County .....	160165	February 8, 1985, Emerg; February 8, 1985, Reg; July 7, 2009, Susp.	.....do .....	Do.
Inkom, City of, Bannock County .....	160010	July 16, 1975, Emerg; September 15, 1978, Reg; July 7, 2009, Susp.	.....do .....	Do.
Lava Hot Springs, City of, Bannock County.	160011	May 20, 1975, Emerg; August 1, 1979, Reg; July 7, 2009, Susp.	.....do .....	Do.
McCammon, City of, Bannock County ..	160176	December 21, 1978, Emerg; December 21, 1978, Reg; July 7, 2009, Susp.	.....do .....	Do.
Pocatello, City of, Bannock County .....	160012	February 7, 1974, Emerg; May 1, 1980, Reg; July 7, 2009, Susp.	.....do .....	Do.

\* -do- = Ditto.

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

Dated: June 23, 2009.

**Deborah Ingram,**

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

[FR Doc. E9-15871 Filed 7-2-09; 8:45 am]

BILLING CODE 9110-12-P

**FEDERAL COMMUNICATIONS  
COMMISSION**

**47 CFR Part 9**

[WC Docket No. 08-171; FCC 08-249]

**Implementation of the Net 911  
Improvement Act of 2008**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule.

**SUMMARY:** The Federal Communications Commission (Commission) has adopted rules implementing certain key

provisions of the New and Emerging Technologies 911 Improvement Act of 2008 (NET 911 Act), which was enacted on July 23, 2008. Congress directed the Commission to issue rules implementing certain key provisions of the NET 911 Act no later than October 21, 2008. In particular, to effectuate the statutory requirement that providers of interconnected voice over Internet Protocol (interconnected VoIP) service provide 911 and enhanced 911 (E911) service in full compliance with the Commission's rules, Congress mandated that the Commission issue regulations in this time frame that, among other