

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	

#### ADDRESSES

##### City of Henderson

Maps are available for inspection at the Public Works Department, 240 Water Street, Henderson, NV 89015.

##### City of Las Vegas

Maps are available for inspection at the Public Works Department, 400 Stewart Avenue, Las Vegas, NV 89101.

##### City of North Las Vegas

Maps are available for inspection at the Public Works Department, 2200 Civic Center Drive, North Las Vegas, NV 89030.

##### Unincorporated Areas of Clark County

Maps are available for inspection at the Public Works Department, 500 South Grand Central Parkway, Las Vegas, NV 89155.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: September 13, 2010

##### Sandra K. Knight,

*Deputy Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2010-24141 Filed 9-24-10; 8:45 am]

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#### DEPARTMENT OF HOMELAND SECURITY

##### Federal Emergency Management Agency

##### 44 CFR Part 67

[Docket ID FEMA-2010-0003; Internal Agency Docket No. FEMA-B-1138]

##### Proposed Flood Elevation Determinations

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

**ACTION:** Proposed rule.

**SUMMARY:** Comments are requested on the proposed Base (1% annual-chance) Flood Elevations (BFEs) and proposed BFE modifications for the communities listed in the table below. The purpose of this notice is to seek general information and comment regarding the proposed regulatory flood elevations for the reach described by the downstream and upstream locations in the table below. The BFEs and modified BFEs are a part of the floodplain management measures that the community is required either to adopt or to show evidence of having in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP). In addition, these elevations, once finalized, will be

used by insurance agents and others to calculate appropriate flood insurance premium rates for new buildings and the contents in those buildings.

**DATES:** Comments are to be submitted on or before December 27, 2010.

**ADDRESSES:** The corresponding preliminary Flood Insurance Rate Map (FIRM) for the proposed BFEs for each community is available for inspection at the community's map repository. The respective addresses are listed in the table below.

You may submit comments, identified by Docket No. FEMA-B-1138, to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-3461, or (e-mail) [roy.e.wright@dhs.gov](mailto:roy.e.wright@dhs.gov).

**FOR FURTHER INFORMATION CONTACT:** Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3461, or (e-mail) [roy.e.wright@dhs.gov](mailto:roy.e.wright@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) proposes to make determinations of BFEs and modified BFEs for each community listed below, in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed BFEs and 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 other Federal, State, or regional entities. These proposed elevations are used to meet the floodplain management requirements of the NFIP and also are used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in those buildings.

Comments on any aspect of the Flood Insurance Study and FIRM, other than the proposed BFEs, will be considered. A letter acknowledging receipt of any comments will not be sent.

*National Environmental Policy Act.* This proposed 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.

*Executive Order 12866, Regulatory Planning and Review.* This proposed rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866, as amended.

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

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

##### List of Subjects in 44 CFR Part 67

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR part 67 is proposed to be amended 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.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for part 67 continues to read as follows:

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
		Effective	Modified	
<b>Clinton County, Indiana, and Incorporated Areas</b>				
Prairie Creek .....	Approximately 100 feet downstream of County Road 100 North.	None	+822	City of Frankfort, Unincorporated Areas of Clinton County.
	Approximately 450 feet upstream of Kelly Street .....	None	+853	

\* National Geodetic Vertical Datum.

+ North American Vertical Datum.

# Depth in feet above ground.

^ Mean Sea Level, rounded to the nearest 0.1 meter.

\*\* BFEs to be changed include the listed downstream and upstream BFEs, and include BFEs located on the stream reach between the referenced locations above. Please refer to the revised Flood Insurance Rate Map located at the community map repository (see below) for exact locations of all BFEs to be changed.

Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Frankfort**

Maps are available for inspection at City Hall, 301 East Clinton Street, Frankfort, IN 46041.

**Unincorporated Areas of Clinton County**

Maps are available for inspection at the Clinton County Courthouse, 180 Courthouse Square, Frankfort, IN 46041.

**Cerro Gordo County, Iowa, and Incorporated Areas**

Chelsea Creek .....	At the confluence with Willow Creek .....	+1116	+1118	City of Mason City.
	Just downstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	+1131	+1134	
Clear Creek .....	At the confluence with Willow Creek .....	None	+1180	City of Clear Lake.
	Just downstream of 40th Street .....	+1195	+1192	
Clear Lake .....	Entire shoreline .....	None	+1228	City of Clear Lake, City of Ventura, Unincorporated Areas of Cerro Gordo County.
Willow Creek .....	Just upstream of State Road 122 .....	+1157	+1158	City of Clear Lake, City of Mason City, Unincorporated Areas of Cerro Gordo County.
Winnebago River .....	Approximately 850 feet upstream of I-35 .....	None	+1195	City of Mason City, Unincorporated Areas of Cerro Gordo County.
	Approximately 0.4 mile upstream of Chicago, Milwaukee, St. Paul and Pacific Railroad.	None	+1061	
	Approximately 1.6 mile upstream of 13th Street .....	+1093	+1092	

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Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**City of Clear Lake**

Maps are available for inspection at 15 North 6th Street, Clear Lake, IA 50428.

**City of Mason City**

Flooding source(s)	Location of referenced elevation	*Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground ^ Elevation in meters (MSL)		Communities affected
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Maps are available for inspection at 10 1st Street Northwest, Mason City, IA 50401.

**City of Ventura**

Maps are available for inspection at 101 Sena Street, Ventura, IA 50482.

**Unincorporated Areas of Cerro Gordo County**

Maps are available for inspection at 220 North Washington Avenue, Mason City, IA 50401.

**Lafayette Parish, Louisiana, and Incorporated Areas**

Anselm Coulee .....	Just upstream of the confluence with the Vermillion River.	None	+14	Unincorporated Areas of Lafayette Parish.
	Just downstream of the confluence with Isaac Verot Coulee.	None	+24	

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+ North American Vertical Datum.

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Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**Unincorporated Areas of Lafayette Parish**

Maps are available for inspection at 101 East Cypress Street, Lafayette, LA 70501.

**Steele County, Minnesota, and Incorporated Areas**

Crane Creek .....	Approximately 400 feet upstream of the confluence with the Straight River.	+1091	+1092	Unincorporated Areas of Steele County.
	At Frontage Road .....	+1091	+1092	

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+ North American Vertical Datum.

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Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

**ADDRESSES**

**Unincorporated Areas of Steele County**

Maps are available for inspection at the Steele County Administration Center, 630 Florence Avenue, Owatonna, MN 55060.

**Clarion County, Pennsylvania (All Jurisdictions)**

Allegheny River .....	Approximately 1.16 mile upstream of the confluence with Redbank Creek.	None	+837	Township of Brady.
	Approximately 2.12 miles upstream of the confluence with Redbank Creek.	None	+838	
Allegheny River .....	Approximately 1.38 mile downstream of the confluence with Black Fox Run.	None	+853	Township of Perry, Township of Toby.
Allegheny River .....	Approximately 480 feet upstream of State Route 368	None	+868	Township of Richland.
	Approximately 1,660 feet downstream of State Route 58.	None	+873	
	Approximately 1,245 feet downstream of State Route 58.	None	+873	
	Approximately 860 feet downstream of I-80 .....	None	+880	
	Approximately 920 feet upstream of I-80 .....	None	+880	

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+ North American Vertical Datum.

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Send comments to Roy E. Wright, Deputy Director, Risk Analysis Division, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472.

#### ADDRESSES

##### Township of Brady

Maps are available for inspection at the Brady Township Building, 141 West Liberty Road, Slipery Rock, PA 16057.

##### Township of Perry

Maps are available for inspection at the Perry Township Building, 5687 Doc Walker Road, Parker, PA 16049.

##### Township of Richland

Maps are available for inspection at the Richland Township Building, 511 Dittman Road, Emlenton, PA 16373.

##### Township of Toby

Maps are available for inspection at the Toby Township Building, 37 Simmons Road, Rimersburg, PA 16248.

(Catalog of Federal Domestic Assistance No. 97.022, "Flood Insurance.")

Dated: September 13, 2010.

**Sandra K. Knight,**

*Deputy Federal Insurance and Mitigation Administrator, Mitigation, Department of Homeland Security, Federal Emergency Management Agency.*

[FR Doc. 2010-24148 Filed 9-24-10; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF DEFENSE

### GENERAL SERVICES ADMINISTRATION

### NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

#### 48 CFR Parts 8, 12, and 16

[FAR Case 2009-043; Docket 2010-0100;  
Sequence 1]

RIN: 9000-AL74

#### Federal Acquisition Regulation; Time-and-Materials (T&M) and Labor-Hour (LH) Contracts for Commercial Items

**AGENCY:** Department of Defense (DoD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

**ACTION:** Proposed rule.

**SUMMARY:** The Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (the Councils) are proposing to amend the Federal Acquisition Regulation (FAR) to implement recommendations of the Government Accountability Office (GAO) Report 09-579 dated June 2009

to Congressional Committees on "Minimal Compliance with New Safeguards for Time-and-Materials Contracts for Commercial Services and Safeguards Have Not Been Applied to GSA Schedules Program."

**DATES:** Interested parties should submit written comments to the Regulatory Secretariat on or before November 26, 2010 to be considered in the formulation of a final rule.

**ADDRESSES:** Submit comments identified by FAR Case 2009-043 by any of the following methods:

- *Regulations.gov:* <http://www.regulations.gov>. Submit comments via the Federal eRulemaking portal by inputting "FAR Case 2009-043" under the heading "Enter Keyword or ID" and selecting "Search". Select the link "Submit a Comment" that corresponds with "FAR Case 2009-043". Follow the instructions provided at the "Submit a Comment" screen. Please include your name, company name (if any), and "FAR Case 2009-043" on your attached document.

- *Fax:* 202-501-4067.
- *Mail:* General Services Administration, Regulatory Secretariat (MVCB), Attn: Hada Flowers, 1800 F Street, NW., Room 4041, Washington, DC 20405.

*Instructions:* Please submit comments only and cite FAR Case 2009-043, in all correspondence related to this case. All comments received will be posted without change to <http://www.regulations.gov>, including any personal and/or business confidential information provided.

**FOR FURTHER INFORMATION CONTACT:** Mr. Warren Blankenship, Procurement

Analyst, at (202) 501-1900, for clarification of content. For information pertaining to status or publication schedules, contact the Regulatory Secretariat at (202) 501-4755. Please cite FAR case 2009-043.

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This rule proposes to amend the FAR to implement the recommendations of GAO's Report to Congressional Committees 09-579 dated June 2009 on "Minimal Compliance with New Safeguards for Time-and-Materials Contracts for Commercial Services and Safeguards Have Not Been Applied to the GSA Schedules Program." GAO was directed by the National Defense Authorization Act of Fiscal Year 2004 conference report to review the use of the new authority being authorized in section 1432 of the Act, the extent to which it had been used, the types of contracts for which the authority had been used, and the degree to which such use was in compliance with the safeguards included in section 1432 (including the requirement that time-and-material and labor-hour contracts be used only where no other contract type was suitable).

GAO reviewed contract files, interviewed contracting and procurement policy officials, and utilized legal interpretations of the applicability of the determination and findings (D&F) requirement to the GSA Schedules program. GAO believes that the evidence and findings obtained during its audit substantiates the conclusions and associated recommendations in the report. The