

productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets. Subject to the terms and conditions set forth, this rule merely allows copyright holders to use the APW Seal on copyrighted works to help detect and deter criminal violations of United States intellectual property laws by educating the public about the existence of these laws and the authority of the FBI to enforce them.

#### List of Subjects in 41 CFR Part 128–1

Government property, Seals and insignia, Copyright, Intellectual property.

Accordingly, for the reasons set forth in the preamble, part 128–1 of chapter 128 of Title 41 of the Code of Federal Regulations is amended as follows:

#### PART 128–1—[AMENDED]

- 1. The authority citation for part 128–1 is revised to read as follows:

**Authority:** 5 U.S.C. 301, 40 U.S.C. 121(c), 41 CFR 101–1.108, and 28 CFR 0.75(j), unless otherwise noted.

- 2. Add § 128–1.5009 to read as follows:

#### § 128–1.5009 Authorization for Use of the Federal Bureau of Investigation Anti-Piracy Warning Seal.

(a) *Purpose.* The Federal Bureau of Investigation (FBI) Anti-Piracy Warning Seal (“APW Seal”) is an official insignia of the FBI and the United States Department of Justice. The purpose of the APW Seal is to help detect and deter criminal violations of United States intellectual property laws by educating the public about the existence of these laws and the authority of the FBI to enforce them.

(b) The APW Seal is a modified image of the Official FBI Seal with the words “FBI ANTI-PIRACY WARNING” displayed horizontally across its center in an enclosed border, whether rendered in color, black and white, outline, or otherwise.

(c) The APW Seal has been approved by the Attorney General as an official insignia of the FBI within the meaning of Title 18, United States Code, Section 701, which provides criminal sanctions for unauthorized uses of such insignia.

(d)(1) The regulations in this section authorize use of the APW Seal by copyright holders on copyrighted works including, but not limited to films, audio recordings, electronic media, software, books, photographs, etc., subject to the terms and conditions set forth in this section.

(2) Use of the APW Seal or of the authorized warning language in a manner not authorized under this section may be punishable under Title 18, United States Code, Sections 701, 709, or other applicable law.

(e) *Conditions regarding use of the APW Seal.* (1) The APW Seal shall only be used on copyrighted works subject to protection under United States Criminal Code provisions such as those in Title 18, United States Code, Sections 2319, 2319A, and 2319B.

(2) The APW Seal shall only be used immediately adjacent to the authorized warning language. “Authorized warning language” refers to the language set forth in paragraph (e)(2)(i) of this section, or alternative language specifically authorized in writing for this purpose by the Director of the FBI or his or her designee and posted on the FBI’s official public Internet Web site (<http://www.fbi.gov>). Except as authorized pursuant to paragraph (f)(1), the APW Seal and authorized warning language shall be enclosed by a plain box border at all times that other text or images appear on the same screen or page.

(i) “The unauthorized reproduction or distribution of a copyrighted work is illegal. Criminal copyright infringement, including infringement without monetary gain, is investigated by the FBI and is punishable by fines and federal imprisonment.”

(ii) [Reserved]

(3) The APW Seal image must be obtained from the FBI’s official public Internet Web site (<http://www.fbi.gov>). The APW Seal image shall not be animated or altered except that it may be rendered in outline, black and white, or grayscale.

(4) In programming or reproducing the APW Seal in or on a work, users are encouraged to employ industry-recognized copyright anti-circumvention or copy protection techniques to discourage copying of the FBI APW Seal, except that such techniques need not be used if no other content or advertising programmed into the same work on the same media utilizes such copyright anti-circumvention or copy protection techniques.

(f) *Prohibitions regarding use of the APW Seal.* (1) The APW Seal shall not be used in a manner indicating FBI approval, authorization, or endorsement of any communication other than the authorized warning language. No other text or image that appears on the same screen, page, package, etc., as the APW Seal or authorized warning language shall reference, contradict, or be displayed in a manner that appears to be

associated with, the APW Seal or authorized warning language, except as authorized in writing by the Director of the FBI or his or her designee and posted on the FBI’s official public Internet Web site (<http://www.fbi.gov>).

(2) The APW Seal shall not be used on any work whose production, sale, public presentation, or distribution by mail or in or affecting interstate commerce would violate the laws of the United States including, but not limited to, those protecting intellectual property and those prohibiting child pornography and obscenity.

(3) The APW Seal shall not be forwarded or copied except as necessary to display it on an eligible work.

(4) The APW Seal shall not be used in any manner:

(i) Indicating that the FBI has approved, authorized, or endorsed any work, product, production, or private entity, including the work on which it appears;

(ii) Indicating that the FBI has determined that a particular work or portion thereof is entitled to protection of the law; or,

(iii) Indicating that any item or communication, except as provided herein, originated from, on behalf of, or in coordination with the FBI, whether for enforcement purposes, education, or otherwise.

Dated: June 28, 2012.

**Lee J. Lofthus,**

*Assistant Attorney General for Administration.*

[FR Doc. 2012–16506 Filed 7–12–12; 8:45 am]

**BILLING CODE 4410–02–P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket ID FEMA–2012–0003; Internal Agency Docket No. FEMA–8237]

#### 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, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-2953.

**SUPPLEMENTARY INFORMATION:** The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain management measures 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 the sale of NFIP flood insurance 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. We recognize that 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 to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. 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 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 FIRM for 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 procedures 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, Section 1315, 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>				
Massachusetts:				
Abington, Town of, Plymouth County ....	250259	March 6, 1974, Emerg; September 30, 1977, Reg; July 17, 2012, Susp.	July 17, 2012 ....	July 17, 2012.
Bellingham, Town of, Norfolk County ....	250232	July 25, 1975, Emerg; December 15, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Braintree, Town of, Norfolk County .....	250233	November 10, 1972, Emerg; June 1, 1978, Reg; July 17, 2012, 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
Bridgewater, Town of, Plymouth County	250260	November 28, 1975, Emerg; May 17, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Brockton, Town of, Plymouth County ....	250261	January 21, 1974, Emerg; March 1, 1979, Reg; July 17, 2012, Susp.	.....do .....	Do.
Brookline, Town of, Norfolk County .....	250234	March 24, 1972, Emerg; May 2, 1977, Reg; July 17, 2012, Susp.	.....do .....	Do.
Carver, Town of, Plymouth County .....	250262	July 29, 1975, Emerg; July 19, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Dedham, Town of, Norfolk County .....	250237	September 6, 1974, Emerg; December 1, 1978, Reg; July 17, 2012, Susp.	.....do .....	Do.
Duxbury, Town of, Plymouth County ....	250263	September 29, 1972, Emerg; May 2, 1977, Reg; July 17, 2012, Susp.	.....do .....	Do.
East Bridgewater, Town of, Plymouth County.	250264	July 23, 1975, Emerg; July 2, 1981, Reg; July 17, 2012, Susp.	.....do .....	Do.
Foxborough, Town of, Norfolk County ..	250239	June 20, 1975, Emerg; December 4, 1979, Reg; July 17, 2012, Susp.	.....do .....	Do.
Franklin, Town of, Norfolk County .....	250240	June 13, 1975, Emerg; February 17, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Hanover, Town of, Plymouth County ....	250266	July 9, 1975, Emerg; December 15, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Hanson, Town of, Plymouth County .....	250267	April 3, 1975, Emerg; January 20, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Hull, Town of, Plymouth County .....	250269	December 29, 1972, Emerg; May 2, 1983, Reg; July 17, 2012, Susp.	.....do .....	Do.
Lakeville, Town of, Plymouth County ....	250271	April 15, 1975, Emerg; June 4, 1980, Reg; July 17, 2012, Susp.	.....do .....	Do.
Marion, Town of, Plymouth County .....	255213	October 8, 1971, Emerg; April 6, 1973, Reg; July 17, 2012, Susp.	.....do .....	Do.
Medfield, Town of, Norfolk County .....	250242	September 6, 1974, Emerg; July 16, 1979, Reg; July 17, 2012, Susp.	.....do .....	Do.
Medway, Town of, Norfolk County .....	250243	August 11, 1975, Emerg; June 18, 1980, Reg; July 17, 2012, Susp.	.....do .....	Do.
Middleborough, Town of, Plymouth County.	250275	May 28, 1975, Emerg; September 16, 1981, Reg; July 17, 2012, Susp.	.....do .....	Do.
Needham, Town of, Norfolk County .....	255215	June 25, 1971, Emerg; April 13, 1973, Reg; July 17, 2012, Susp.	.....do .....	Do.
Norfolk, Town of, Norfolk County .....	255217	July 10, 1970, Emerg; August 20, 1971, Reg; July 17, 2012, Susp.	.....do .....	Do.
Norwell, Town of, Plymouth County .....	250276	July 9, 1975, Emerg; July 19, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Norwood, Town of, Norfolk County .....	250248	July 2, 1975, Emerg; February 1, 1980, Reg; July 17, 2012, Susp.	.....do .....	Do.
Plainville, Town of, Norfolk County .....	250249	October 29, 1974, Emerg; July 2, 1981, Reg; July 17, 2012, Susp.	.....do .....	Do.
Quincy, City of, Norfolk County .....	255219	June 19, 1970, Emerg; September 21, 1973, Reg; July 17, 2012, Susp.	.....do .....	Do.
Randolph, Town of, Norfolk County .....	250251	October 15, 1971, Emerg; May 1, 1978, Reg; July 17, 2012, Susp.	.....do .....	Do.
Rockland, Town of, Plymouth County ...	250281	July 24, 1975, Emerg; July 19, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Stoughton, Town of, Norfolk County .....	250253	March 4, 1975, Emerg; June 1, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Wellesley, Town of, Norfolk County .....	250255	December 22, 1972, Emerg; September 5, 1979, Reg; July 17, 2012, Susp.	.....do .....	Do.
West Bridgewater, Town of, Plymouth County.	250284	July 24, 1975, Emerg; June 15, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
Westwood, Town of, Norfolk County .....	255225	January 14, 1972, Emerg; November 2, 1973, Reg; July 17, 2012, Susp.	.....do .....	Do.
Weymouth, Town of, Norfolk County ....	250257	December 15, 1972, Emerg; September 30, 1980, Reg; July 17, 2012, Susp.	.....do .....	Do.
Whitman, Town of, Plymouth County ....	250285	March 12, 1975, Emerg; July 2, 1981, Reg; July 17, 2012, Susp.	.....do .....	Do.
Wrentham, Town of, Norfolk County .....	250258	December 10, 1974, Emerg; July 5, 1982, Reg; July 17, 2012, Susp.	.....do .....	Do.
<b>Region IV</b>				
Alabama:				
Clarke County, Unincorporated Areas ..	010316	October 30, 2006, Emerg; October 16, 2008, Reg; July 17, 2012, Susp.	.....do .....	Do.
Coffeeville, Town of, Clarke County .....	010484	N/A, Emerg; May 20, 2010, Reg; July 17, 2012, 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
Fulton, Town of, Clarke County .....	010038	August 14, 2000, Emerg; October 16, 2008, Reg; July 17, 2012, Susp.	.....do .....	Do.
Jackson, City of, Clarke County .....	010040	August 11, 1975, Emerg; December 17, 1987, Reg; July 17, 2012, Susp.	.....do .....	Do.
Thomasville, City of, Clarke County .....	010041	April 19, 1976, Emerg; September 18, 1985, Reg; July 17, 2012, Susp.	.....do .....	Do.
Kentucky: Tompkinsville, City of, Monroe County.	210420	September 26, 2011, Emerg; N/A, Reg; July 17, 2012, Susp.	.....do .....	Do.
<b>Region VI</b>				
Arkansas:				
Carthage, City of, Dallas County .....	050062	February 4, 1976, Emerg; August 22, 1978, Reg; July 17, 2012, Susp.	.....do .....	Do.
Dallas County, Unincorporated Areas ...	050061	July 12, 1988, Emerg; December 1, 1989, Reg; July 17, 2012, Susp.	.....do .....	Do.
Fordyce, City of, Dallas County .....	050063	March 12, 1975, Emerg; May 15, 1980, Reg; July 17, 2012, Susp.	.....do .....	Do.
Sparkman, City of, Dallas County .....	050064	May 5, 1975, Emerg; March 1, 1988, Reg; July 17, 2012, Susp.	.....do .....	Do.
Oklahoma:				
Ada, City of, Pontotoc County .....	400173	May 22, 1974, Emerg; July 16, 1980, Reg; July 17, 2012, Susp.	.....do .....	Do.
Byng, Town of, Pontotoc County .....	400175	N/A, Emerg; April 1, 2011, Reg; July 17, 2012, Susp.	.....do .....	Do.
Pontotoc County, Unincorporated Areas	400495	February 9, 2006, Emerg; N/A, Reg; July 17, 2012, Susp.	.....do .....	Do.
Roff, Town of, Pontotoc County .....	400176	December 8, 1977, Emerg; November 27, 1979, Reg; July 17, 2012, Susp.	.....do .....	Do.
Texas: Zapata County, Unincorporated Areas.	480687	December 7, 2006, Emerg; N/A, Reg; July 17, 2012, Susp.	.....do .....	Do.
<b>Region VIII</b>				
Colorado:				
Clear Creek County, Unincorporated Areas.	080034	November 27, 1973, Emerg; March 11, 1980, Reg; July 17, 2012, Susp.	.....do .....	Do.
Georgetown, Town of, Clear Creek County.	080035	April 9, 1974, Emerg; June 5, 1989, Reg; July 17, 2012, Susp.	.....do .....	Do.
Idaho Springs, City of, Clear Creek County.	080036	December 4, 1973, Emerg; November 15, 1978, Reg; July 17, 2012, Susp.	.....do .....	Do.

\*.....do and Do. = Ditto.

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

Dated: July 3, 2012.

**David L. Miller,**

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

[FR Doc. 2012-17060 Filed 7-12-12; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 67

[Docket ID FEMA-2012-0003]

#### Final Flood Elevation Determinations

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

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual-chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated in the table below.

**ADDRESSES:** The final 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:** Luis Rodriguez, Chief, Engineering Management Branch, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-4064, or (email) [Luis.Rodriguez3@fema.dhs.gov](mailto:Luis.Rodriguez3@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Deputy Associate Administrator for Mitigation has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster