

State and county	Location	Dates and name of newspaper where notice was published	Chief executive officer of community	Effective date of modification	Community No.
Orange .....	Unincorporated areas.	Mar. 13, 1997, Mar. 20, 1997, <i>Orange County Review</i> .	Ms. Brenda Bailey, Orange County Administrator, P.O. Box 111, Orange, Virginia 22960.	Sept. 3, 1997 .....	510203B
Wisconsin: Richland	City of Richland Center.	Apr. 3, 1997, Apr. 10, 1997, <i>The Richland Observer</i> .	The Honorable Thomas McCarthy, Mayor of the City of Richland Center, P.O. Box 230, Richland Center, Wisconsin 53581.	Mar. 25, 1997 .....	555576B

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

Dated: June 19, 1997.

**Richard W. Krimm,**

*Executive Associate Director, Mitigation Directorate.*

[FR Doc. 97-18538 Filed 7-14-97; 8:45 am]

BILLING CODE 6718-03-P

**FEDERAL EMERGENCY MANAGEMENT AGENCY**

**44 CFR Part 67**

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) flood elevations and modified base flood elevations are made final for the communities listed below. The base flood elevations and modified base flood elevations 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).

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

**ADDRESSES:** The final base flood elevations 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:** Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA or Agency) makes final

determinations listed below of base flood elevations and modified base flood elevations for each community listed. The proposed base flood elevations and proposed modified base flood elevations were published in newspapers of local circulation and an opportunity for the community or individuals to appeal the proposed determinations to or through the community was provided for a period of ninety (90) days. The proposed base flood elevations and proposed modified base flood elevations were also published in the **Federal Register**.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67.

The Agency has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and Flood Insurance Rate Map available at the address cited below for each community.

The base flood elevations and modified base flood elevations are made final in the communities listed below. Elevations at selected locations in each community are shown.

**National Environmental Policy Act**

This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act**

The Executive Associate Director, Mitigation Directorate, certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because final or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the National Flood Insurance Program. No regulatory flexibility analysis has been prepared.

**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 12612, Federalism**

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

**Executive Order 12778, Civil Justice Reform**

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778.

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

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

Accordingly, 44 CFR part 67 is amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for part 67 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.

**§ 67.11 [Amended]**

2. The tables published under the authority of § 67.11 are amended as follows:

Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)
<b>INDIANA</b>	
<b>Wabash County (Unincorporated Areas) (FEMA Docket No. 7199)</b>	
<i>Wabash River:</i>	
Approximately 1.0 mile downstream of Prairie Road (At county boundary) .....	*651
Approximately 0.5 mile upstream of 100 North Road ...	*687

Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)
<i>Treaty Creek:</i> Approximately 3,000 feet upstream of Bailey Road .....	*731	Downstream of CSX Transportation crossing (Lake Lafayette, Piney Z Lake) .....	*51	At confluence with Northeast Drainage Ditch .....	*68
Approximately 100 feet downstream of County Road 700 South. ....	*793	<i>Ochlockonee River:</i> At Jackson Bluff Dam .....	*72	Approximately 40 feet upstream of Park Avenue .....	*90
<b>Maps available for inspection</b> at the Planning Commission Office, Wabash County Courthouse, 1 West Hill Street, Wabash, Indiana.		Approximately 600 feet downstream of Interstate 10 .....	*81	<i>Royal Oaks Creek:</i> Confluence with Lake Kinsale (Alford Arm Tributary) .....	*84
<b>FLORIDA</b>		<i>East Drainage Ditch:</i> At confluence with Munson Slough .....	*40	Approximately 650 feet upstream of Foxcroft Drive .....	*87
<b>Leon County (Unincorporated Areas) (FEMA Docket No. 7199)</b>		Approximately 650 feet upstream of the confluence with Munson Slough .....	*40	<i>St. Augustines Branch:</i> Approximately 200 feet upstream of confluence with Middle Drainage Ditch .....	*62
<i>Alford Arm Tributary:</i> Approximately 0.91 mile downstream of State Route 158 (Buck Lake Road) .....	*51	Approximately 350 feet upstream of Lakeshore Drive ..	*104	At downstream side of U.S. Route 90 (Tennessee Street) .....	*114
Downstream face of Centerville Road .....	*82	Approximately 1,600 feet upstream of Lakeshore Drive ..	*105	<i>Alford Arm Tributary:</i> Upstream face of Centerville Road .....	*83
<i>Bradford Brook:</i> Confluence with Cascade Lake .....	*39	<b>Maps available for inspection</b> at the Leon County Public Works Department, Leon County Courthouse, Room 201, Tallahassee, Florida.		Just downstream of Thomasville Road (U.S. Route 319 and State Route 61) .....	*93
Just downstream of Aeon Church Road .....	*49	<b>Tallahassee (City), Leon County (FEMA Docket No. 7199)</b>		<i>West Drainage Ditch:</i> At confluence with Munson Slough .....	*40
<i>Fords Arm Tributary:</i> Upstream face of Meridian Road .....	*110	<i>East Drainage Ditch:</i> At confluence with Munson Slough .....	*40	Approximately 100 feet upstream of Interstate Route 10 .....	*147
Approximately 1,250 feet upstream of Trillium Court .....	*156	Approximately 100 feet upstream of Apakin Nene .....	*144	<i>West Drainage Ditch Tributary:</i> At the confluence with West Drainage Ditch .....	*53
<i>Gum Creek:</i> Just downstream of Blounstown Highway .....	*60	<i>Gum Creek:</i> At confluence with West Drainage Ditch .....	*60	Approximately 1,140 feet upstream of Jackson Bluff Road .....	*56
At confluence of West Branch Gum Creek and North Branch Gum Creek .....	*60	Approximately 0.4 mile upstream of Blounstown Highway .....	*60	<i>Windrush Apartments Ditch:</i> At confluence with Northeast Drainage Ditch Tributary .....	*77
<i>Lake Overstreet Drain:</i> Upstream face of Meridian Road .....	*98	<i>McCord Park Pond Drainage Ditch:</i> Approximately 700 feet downstream of State Route 151 (Centerville Road) .....	*71	Approximately 140 feet upstream of Apartment Road ..	*103
Approximately 1,900 feet upstream of Bobbin Brook West .....	*125	At downstream face of Betton Road .....	*111	<i>Grassy Lake:</i> Entire shoreline within community .....	*40
<i>Munson Slough:</i> Approximately 1,600 feet downstream of State Route 260 (Oakridge Road) .....	*22	<i>Middle Drainage Ditch:</i> At confluence with Munson Slough .....	*40	<i>Lake Bradford:</i> Entire shoreline within community .....	*39
At Lake Bradford Road .....	*40	Approximately 1,100 feet upstream of Pensacola Street .....	*71	<i>Lake Cascade:</i> Entire shoreline within community .....	*39
<i>North Branch Gum Creek:</i> At confluence with Gum Creek Just upstream of Gum Road ...	*60	<i>Munson Slough:</i> At confluence of East Drainage Ditch .....	*40	<i>Lake Hiawatha:</i> Entire shoreline within community .....	*39
<i>West Branch Gum Creek:</i> At confluence with Gum Creek Just upstream of CSX Transportation .....	*60	Approximately 200 feet upstream of Lake Bradford Road .....	*40	<i>San Luis Branch:</i> At confluence with West Drainage Ditch .....	*67
<i>West Drainage Ditch:</i> Approximately 0.3 mile upstream of Yulee Street .....	*58	<i>Northeast Drainage Ditch:</i> At the upstream face of Weems Road .....	*52	Approximately 1,300 feet upstream of Ocala Road .....	*102
Approximately 50 feet upstream of Pensacola Street .....	*59	Approximately 1.3 miles upstream of Lonnbladh Road ..	*131	<b>Maps available for inspection</b> at the City of Tallahassee Department of Public Works, 300 South Adams Street, Tallahassee, Florida.	
<i>Lake Cascade:</i> Entire shoreline within the community .....	*39	<i>Park Avenue Ditch:</i> At confluence with Northeast Drainage Ditch .....	*56	<b>CONNECTICUT</b>	
<i>Lake Bradford:</i> Entire shoreline within the community .....	*39	Approximately 0.8 mile upstream of Victory Garden Drive .....	*107	<b>East Haven (Town), New Haven County (FEMA Docket No. 7199)</b>	
<i>Lake Lafayette-Alford Arm:</i>		<i>Richview Road Ditch:</i>		<i>Tuttle Brook:</i>	

Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)
Approximately 1,720 feet upstream of Dodge Avenue ...	*11	Approximately 0.4 mile west of intersection of Tom Cresswell Road and corporate limits	*594	<b>Maps available for inspection</b> at the Bridgeport Charter Township Offices, 6206 Dixie Highway, Bridgeport, Michigan.	
Approximately 110 feet upstream of I-95	*18	At Sheridan Road	*600		
<b>Maps available for inspection</b> at the Town of East Haven Public Works Building, Engineering Department, 461 North High Street, East Haven, Connecticut.		<i>Shiawassee Flats:</i> At intersection of Bishop Road and Fergus Road	*594	<b>Carrollton (Township), Saginaw County (FEMA Docket No. 7187)</b> <i>Saginaw River:</i> Immediate area south of Tittabawassee Street and west of Venoy Road	*589
		<i>Misteguay Creek:</i> Approximately 600 feet upstream of confluence with Flint River	*594		
<b>MAINE</b>		At West Gary Road	*604	Area west of CONRAIL and south of Schust Road	*589
<b>Bowdoinham (Town), Sagadahoc County (FEMA Docket No. 7199)</b> <i>Kennebec River:</i> Approximately 850 feet downstream of Abagadasset Point	*10	<b>Maps available for inspection</b> at the Township Community Center, 10645 East Road, Burt, Michigan.		<b>Maps available for inspection</b> at the Carrollton Township Building, Department of Public Works, 1645 Mapleridge, Saginaw, Michigan.	
At upstream corporate limits	*12	<b>Brant (Township), Saginaw County (FEMA Docket No. 7124)</b> <i>Bad River:</i> At downstream corporate limits	*595		
<i>Denham Stream:</i> At confluence with West Branch	*9	Approximately 2,200 feet upstream of downstream corporate limits	*595	<b>Frankenmuth (City), Saginaw County (FEMA Docket No. 7219)</b> <i>Cass River:</i> Approximately 0.6 mile downstream of South Main Street	*612
At upstream corporate limits	*143	<b>Maps available for inspection</b> with Mr. James Lester, Brant Township Clerk, 10510 South Hemlock Road, Brant, Michigan.			
<i>Abagadasset River:</i> At downstream corporate limits	*115			Approximately 1.1 miles upstream of South Main Street	*614
At upstream corporate limits	*125	<b>Buena Vista (Charter Township), Saginaw County (FEMA Docket No. 7187)</b> <i>Saginaw River Flood Storage Area:</i> Area east of Interstate 75 and north of East Washington Road	*587	<b>Maps available for inspection</b> at the Frankenmuth City Hall, 240 West Genesee Street, Frankenmuth, Michigan.	
<b>Maps available for inspection</b> at the Bowdoinham Town Office, 13 School Street, Bowdoinham, Maine.		<i>Saginaw River:</i> At downstream corporate limits	*589		
<b>MINNESOTA</b>		Approximately 0.75 mile downstream of upstream corporate limits	*589	<b>Frankenmuth (Township), Saginaw County (FEMA Docket No. 7199)</b> <i>Cass River:</i> Approximately 0.6 mile downstream of South Main Street	*612
<b>Prior Lake (City), Scott County (FEMA Docket No. 7199)</b> <i>Arctic Lake:</i> Entire shoreline within community	*909	Approximately 1.1 miles upstream of South Main Street	*589	Approximately 1.1 miles upstream of South Main Street	*614
<b>Maps available for inspection</b> at the City Hall, 16200 Eagle Creek Avenue, S.E., Prior Lake, Minnesota.		<b>Maps available for inspection</b> at the Township Clerk's Office, 1160 South Outer Drive, Saginaw, Michigan.		<b>Maps available for inspection</b> at the Frankenmuth Township Building, 218 West Genesee Street, Frankenmuth, Michigan.	
		<b>Bridgeport (Charter Township), Saginaw County (FEMA Docket No. 7124)</b> <i>Cass River:</i> At Sheridan Road	*594		
<b>VERMONT</b>		Approximately 1.1 miles upstream of Grand Trunk Western Railroad	*595	<b>Fremont (Township), Saginaw County (FEMA Docket No. 7199)</b> <i>Shiawassee Flats:</i> North of Beaver Road	*594
<b>Duxbury (Town), Washington County (FEMA Docket No. 7199)</b> <i>Winooski River:</i> At Bolton Falls Dam	*409	<i>Flint River:</i> Approximately 0.3 mile south of the intersection of Sheridan Road and Curtis Road	*599		
At downstream corporate limits	*427	At the intersection of Townline Road and Railroad Street	*601	Approximately 0.58 mile downstream of Byron Road	*666
<b>Maps available for inspection</b> at the Duxbury Town Clerk's Office, R.D. 2, Waterbury, Vermont.					
<b>MICHIGAN</b>					
<b>Albee (Township), Saginaw County (FEMA Docket No. 7124)</b> <i>Flint River:</i>					

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Approximately 350 feet upstream of Juddville Road .....	*717	Approximately 1,600 feet upstream of confluence of Onion Creek .....	*680	<b>Taymouth (Township), Saginaw County (FEMA Docket No. 7124)</b>	
<b>Maps available for inspection</b> at the Hazelton Township Hall, 7505 Orchard Street, New Lothrop, Michigan.		<b>Maps available for inspection</b> at the New Lothrop Village Hall, 7507 Orchard Street, New Lothrop, Michigan.		<i>Flint River:</i> At the intersection of Townline Road and Sheridan Road ....	*600
<b>James (Township), Saginaw County (FEMA Docket No. 7187)</b>		<b>Saginaw (City), Saginaw County (FEMA Docket No. 7124)</b>		Approximately 0.4 mile north of the intersection of Pettit Road and Busch Road .....	*601
<i>Tittabawassee River:</i> Area north of CONRAIL and east of Van Wormer Road ..	*594	<i>Saginaw River:</i> Approximately 1,000 feet northeast of intersection of State Routes 81 and 13 .....	*589	<b>Maps available for inspection</b> at the Taymouth Township Offices, 4343 East Birch Run Road, Birch Run, Michigan.	
<b>Maps available for inspection</b> at the James Township Hall, 6060 Swan Creek Road, Saginaw, Michigan.		<b>Maps available for inspection</b> at the Saginaw City Hall, 1315 South Washington Avenue, Saginaw, Michigan.		<b>Thomas (Township), Saginaw County (FEMA Docket No. 7187)</b>	
<b>Kochville (Township), Saginaw County (FEMA Docket No. 7187)</b>		<b>Spaulding (Township), Saginaw County (FEMA Docket No. 7124)</b>		<i>Shiawassee Flats (Tittabawassee River):</i> At Ederer Road and North River Road intersection .....	*596
<i>Saginaw Bay:</i> West of Venoy Road and north of Tittabawassee Street .....	*586	<i>Flint River:</i> At Tom Cresswell Road .....	*595	<i>Swan Creek:</i> At Ederer Road .....	*594
<i>Kochville Drain:</i> Approximately 0.75 mile downstream of CONRAIL .....	*588	At Sheridan Road .....	*600	Approximately 1,700 feet downstream of Geddes Road .....	*594
At confluence with North Branch Kochville Drain .....	*588	<b>Maps available for inspection</b> at the Spaulding Township Offices, 5025 East Road, Saginaw County, Michigan.		<b>Maps available for inspection</b> at the Thomas Township Offices, 249 North Miller Road, Saginaw, Michigan.	
<i>South Branch Kochville Drain:</i> At confluence with North Branch Kochville Drain .....	*588	<b>St. Charles (Township), Saginaw County (FEMA Docket No. 7124)</b>		<b>Zilwaukee (City), Saginaw County (FEMA Docket No. 7187)</b>	
Approximately 100 feet downstream of Michigan Road ....	*588	<i>Bad River:</i> At the downstream corporate limits .....	*594	<i>Saginaw Bay:</i> Area west of Grand Trunk Western Railroad and north of Tittabawassee Street .....	*586
<i>North Branch Kochville Drain:</i> At confluence with Kochville Drain .....	*588	At the upstream corporate limits .....	595	<i>Saginaw River:</i> Area west of Conrail and south of Tittabawassee Street .....	*589
At Kochville Road .....	*588	<i>South Branch Bad River:</i> At the downstream corporate limits .....	*594	At downstream and upstream sides of Interstate Route 75 .....	*589
<b>Maps available for inspection</b> at the Kochville Township Hall, 5851 Mackinaw Road, Saginaw, Michigan.		Approximately 1,000 feet upstream of downstream corporate limits .....	*594	<b>Maps available for inspection</b> at the Zilwaukee City Hall, 319 Tittabawassee Road, Saginaw, Michigan.	
<b>Maple Grove (Township), Saginaw County (FEMA Docket No. 7124)</b>		<i>Shiawassee Flats:</i> Flooding affecting community	*594	<b>Zilwaukee (Township), Saginaw County (FEMA Docket No. 7187)</b>	
<i>Misteguay Creek:</i> At upstream side of West Gary Road .....	*605	<b>Maps available for inspection</b> at the St. Charles Township Offices, 1003 North Saginaw Street, St. Charles, Michigan.		<i>Kochville Drain:</i> Approximately 0.4 mile upstream of Interstate Route 75 .....	*586
Approximately 0.76 mile upstream of upstream county boundary .....	*669	<b>Swan Creek (Township), Saginaw County (FEMA Docket No. 7187)</b>		Approximately 400 feet downstream of Kochville Road ....	*586
<b>Maps available for inspection</b> at the Maple Grove Township Office, 17010 Lincoln Road, New Lothrop, Michigan.		<i>Shiawassee Flats:</i> Barer and Benkert Roads intersection .....	*594	<i>Saginaw River Flood Storage Area:</i> Area east of State Route 13 (Veterans Memorial Parkway) .....	*587
<b>New Lothrop (Village), Shiawassee County (FEMA Docket No. 7199)</b>		<b>Maps available for inspection</b> at the Swan Creek Township Offices, 11415 Lakefield Road, St. Charles, Michigan.		<i>Saginaw River:</i>	
<i>Misteguay Creek:</i> Approximately 0.63 mile downstream of Easton Road .....	*673				

Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)	Source of flooding and location	# Depth in feet above ground. * Elevation in feet (NGVD)
At downstream county boundary .....	*587	<b>Maps available for inspection</b> at the Smyth County Courthouse, Building Inspector's Department, 109 West Main, Marion, Virginia.	
Approximately 800 feet upstream of Interstate Route 75 .....	*589		
<i>Saginaw Bay:</i> Areas west of Grand Trunk Western and north of Kochville Road .....	*586		
<b>Maps available for inspection</b> at the Township Supervisor's Home Office, 7600 Melbourne Road, Saginaw, Michigan.		(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance".) Dated: June 19, 1997. <b>Richard W. Krimm,</b> <i>Executive Associate Director, Mitigation Directorate.</i> [FR Doc. 97-18537 Filed 7-14-97; 8:45 am] BILLING CODE 6718-04-P	
<b>NEW JERSEY</b>			
<b>Roselle Park (Borough), Union County (FEMA Docket No. 7199)</b>		<b>DEPARTMENT OF TRANSPORTATION</b>	
<i>Morses Creek:</i> Approximately 220 feet downstream of West Westfield Avenue .....	*68	<b>Maritime Administration</b>	
At upstream corporate limits (Sumner Street) .....	*87	<b>46 CFR Part 295</b>	
<b>Maps available for inspection</b> at the Borough of Roselle Park Engineer's Office, 110 East Westfield Avenue, Roselle Park, New Jersey.		<b>[Docket No. R-163]</b>	
<b>NEW YORK</b>			
<b>Fort Ann (Town), Washington County (FEMA Docket No. 7211)</b>		<b>RIN 2133-AB24</b>	
<i>Copeland Pond:</i> Entire shoreline within community .....	*453	<b>Maritime Security Program</b>	
<i>Hadlock Pond:</i> Entire shoreline within community .....	*458	<b>AGENCY:</b> Maritime Administration, Department of Transportation.	
<i>Lakes Pond:</i> Entire shoreline within community .....	*864	<b>ACTION:</b> Final rule.	
<i>Lake Nebo:</i> Entire shoreline within community .....	*843	<b>SUMMARY:</b> The Maritime Administration (MARAD) is issuing this final rule to provide procedures to implement the provisions of the Maritime Security Act of 1996 (MSA). The MSA establishes a new Maritime Security Program (MSP), which authorizes payments through FY 2005. The MSP supports the operations of U.S.-flag vessels in the foreign commerce of the United States through assistance payments. Participating vessel operators are required to make their ships and other commercial transportation resources available to the Government during times of war or national emergency.	
<i>Lake George:</i> Entire shoreline within community .....	*321	<b>DATES:</b> This final rule is effective July 17, 1997.	
<b>Maps available for inspection</b> at the Fort Ann Town Clerk's office, Route 4 in the Village of Fort Ann, Fort Ann, New York.		<b>FOR FURTHER INFORMATION CONTACT:</b> Raymond R. Barberesi, Director, Office of Sealift Support, Telephone 202-366-2323.	
<b>VIRGINIA</b>			
<b>Smyth County (Unincorporated Areas) (FEMA Docket No. 7149)</b>		<b>SUPPLEMENTARY INFORMATION:</b>	
<i>Middle Fork Holston River:</i> North of Interstate 81 and southwest of the Town of Chilhowie corporate limits ...	*1,944	<b>Background</b>	

Secretary of Transportation (Secretary) to establish a fleet of active, militarily useful, privately owned vessels to meet national defense and other security requirements, while also maintaining an American presence in international commercial shipping. Section 655 of the MSA authorized \$100 million annually through fiscal year 2005 to support the operation of up to 47 U.S.-flag vessels in the foreign commerce of the United States. Payments to participating operators are \$2.1 million per ship, per year. Participating operators are required to make their ships available upon request by the Secretary of Defense during times of war or national emergency. Unlike the operating-differential subsidy (ODS) program, the MSP has few restrictions on vessels operating in the U.S.-foreign commerce and eligible vessels may be built in foreign shipyards.

**Interim Final Rule**

As authorized by section 8 of the MSA, MARAD issued an interim final rule on October 16, 1996, (61 FR 53861), which added a new 46 CFR Part 295. That rule provides procedures to implement the MSA with respect to the application for, and award of, MSP operating agreements that provide financial assistance to operators of vessels enrolled in the program. The program will be administered on the basis of one-year renewable contracts, provided funding is available in subsequent years. The rule provides that participating operators will be required to operate eligible vessels in the foreign commerce of the United States, and certain specified mixed foreign and domestic areas, with a minimum of operating restrictions, for at least 320 days in any fiscal year. It provides that payments will be made on a prorated basis for vessels operated less than 320 days in any year, exclusive of days a MSP vessel is being drydocked, surveyed or repaired. In addition, no payments will be made for each day any vessel carries civilian bulk preference cargoes of 7,500 tons or more.

The interim final rule issued on October 16, 1996, allowed an initial comment period ending November 15, 1996. This comment period was later extended to December 2, 1996 by notice published in the **Federal Register** (61 FR 58663; November 18, 1996). MARAD received 13 comments from persons or entities with an interest in the MSP, including vessel operators, labor unions, representatives of U.S. shipyards, and U.S. insurers providing U.S. marine hull insurance. In addition, on October 11, 1996, MARAD invited applications for participation in the MSP by