

43, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1129.

**SUPPLEMENTARY INFORMATION:**

Emergency approval is being requested for the Free Clinic FTCA Program deeming application because the data collection and reporting of this information is needed before the expiration of the normal time limits under OMB's regulations at 5 CFR part 1320. This information is needed to ensure the timely availability of data as necessary for the Secretary to make a determination for the provision of FTCA deemed status to volunteer health care professionals working at free clinics. Upon OMB's review and approval of the proposed data collection project, HRSA will publish a new 60 day **Federal Register** notice to begin the process for routine clearance under 5 CFR part 1320.

Dated: September 10, 2004.

**Tina M. Cheatham,**

*Director, Division of Policy Review and Coordination.*

[FR Doc. 04-20769 Filed 9-14-04; 8:45 am]

**BILLING CODE 4165-15-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Health Resources And Services Administration**

**Application Guidance for Free Clinics to Sponsor a Volunteer Health Professional for Federal Tort Claims Act (FTCA) Deemed Status and FTCA Coverage for Medical Malpractice Claims; Withdrawal**

**AGENCY:** Health Resources and Services Administration, HHS.

**ACTION:** Notice of withdrawal.

**SUMMARY:** The Health Resources and Services Administration (HRSA) is announcing the withdrawal of the 30 day FR notice published on September 3, 2004, FR Doc. 04-20180, for the solicitation of comments on the Application Guidance for Free Clinics to Sponsor a Volunteer Health Professional for Federal Tort Claims Act (FTCA) Deemed Status and FTCA Coverage for Medical Malpractice Claims. The notice is being withdrawn because the agency is requesting an emergency review and approval from OMB for the deeming application under the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

**DATES:** The solicitation of comments notice is withdrawn effective September 15, 2004.

**FOR FURTHER INFORMATION CONTACT:** Please contact Shannon Faltens or

Felicia Collins at HRSA, Bureau of Primary Health Care, Division of Clinical Quality, 4350 East West Highway, Bethesda, MD 20814, via e-mail at [FreeClinicsFTCA@hrsa.gov](mailto:FreeClinicsFTCA@hrsa.gov), or on (301) 594-0818.

**SUPPLEMENTARY INFORMATION:**

Emergency approval is being requested for the Free Clinic FTCA Program deeming application because the data collection and reporting of this information is needed before the expiration of the normal time limits under OMB's regulations at 5 CFR part 1320. This information is needed to ensure the timely availability of data as necessary for the Secretary to make a determination for the provision of FTCA deemed status to volunteer health care professionals working at free clinics. Upon OMB's review and approval of the proposed data collection project, HRSA will publish a new 60 day **Federal Register** notice to begin the process for routine clearance under 5 CFR part 1320.

Dated: September 10, 2004.

**Tina M. Cheatham,**

*Director, Division of Policy Review and Coordination.*

[FR Doc. 04-20768 Filed 9-14-04; 8:45 am]

**BILLING CODE 4165-15-P**

**DEPARTMENT OF HEALTH AND HUMAN SERVICES**

**Office of Inspector General**

**Program Exclusions: August 2004**

**AGENCY:** Office of Inspector General, HHS.

**ACTION:** Notice of program exclusions.

During the month of August 2004, the HHS Office of Inspector General imposed exclusions in the cases set forth below. When an exclusions is imposed, no program payment is made to anyone for any items or services (other than an emergency item or service not provided in a hospital emergency room) furnished, ordered or prescribed by an excluded party under the Medicare, Medicaid, and all Federal Health Care programs. In addition, no program payment is made to any business or facility, e.g., a hospital that submits bills for payment for items or services provided by an excluded party. Program beneficiaries remain free to decide for themselves whether they will continue to use the services of an excluded party even though no program payments will be made for items and services provided by that excluded party. The exclusions have national effect and also apply to all Executive

Branch procurement and non-procurement programs and activities.

Subject city, state	Effective date
<b>PROGRAM-RELATED CONVICTIONS</b>	
AMR, HUSSEIN .....	9/20/2004
TERRE HAUTE, IN	
BRYCE, MELISSA .....	9/20/2004
STIGLER, OK	
CHE, CHANTHY .....	5/11/2004
FONTANA, CA	
COLLINS, DEBRA .....	9/20/2004
MINFORD, OH	
CONGROVE, PAMELA .....	9/20/2004
POWELL, OH	
CURTIS, ANTOINETTE .....	9/20/2004
MILWAUKEE, WI	
DEMPSEY, TRACY .....	6/2/2004
NEWARK, DE	
DENNIS, CRYSTAL .....	9/20/2004
SEATTLE, WA	
DIAB, CHRISTINA .....	9/20/2004
SPRINGFIELD, VA	
DINOZZI, DAVID .....	9/20/2004
YOUNGWOOD, PA	
DO, ALEXANDER .....	9/20/2004
NAPANOCH, NY	
DRUMMOND, ANNETTE .....	9/20/2004
RUSHVILLE, NE	
EZEBUNWA, ESTHER .....	9/20/2004
SACRAMENTO, CA	
GIRGIS, DIMITRI .....	9/20/2004
ANNADALE, VA	
GOLDEN, ILYA .....	9/20/2004
LEWISBURG, PA	
GREENUP, VANESSA .....	9/20/2004
RESERVE, LA	
HAYES, JANELLE .....	9/20/2004
LAWTON, OK	
HEATH, KENDALL .....	9/20/2004
PICO RIVERA, CA	
HUPP, BRIAN .....	9/20/2004
POMEROY, OH	
HUPP, KIMBERLY .....	9/20/2004
POMEROY, OH	
LOPEZ, KARINE .....	9/20/2004
SAFFORD, AZ	
MADDOCK, MICHAEL .....	5/11/2004
HARBOR CITY, CA	
MANN, GILDA .....	9/20/2004
OLYMPIA, WA	
MAYHAN, KIMBERLY .....	9/20/2004
COLUMBUS, OH	
PLANTS, KAREN .....	9/20/2004
OKLAHOMA CITY, OK	
QD'S PHARMACY, INC .....	9/20/2004
WOODHAVEN, NY	
REVELLI, CARMEN .....	9/20/2004
LAKEWOOD, CA	
SALEH, EHAB .....	9/20/2004
SPRINGFIELD, VA	
SALEH, WASSIM .....	9/20/2004
SPRINGFIELD, VA	
SHTRAKHMAN, VLADIMIR .....	9/20/2004
LORETTO, PA	
STANDIGE, JUDY .....	9/20/2004
MULDROW, OK	
VILLA, NATHAN .....	9/20/2004
LOVELAND, CO	
YASIN, MUHAMMAD .....	9/20/2004
SUSANVILLE, CA	
ZELLER, JOHN .....	9/20/2004

Subject city, state	Effective date	Subject city, state	Effective date	Subject city, state	Effective date
OCEANSIDE, CA		KERRVILLE, TX		WAIPAHU, HI	
<b>FELONY CONVICTION FOR HEALTH CARE FRAUD</b>		COLLINS, MATTHEW .....	9/20/2004	EVANS, LINDA .....	9/20/2004
BAER, MICHAEL .....	9/20/2004	VAN NUYS, CA		RUSTON, LA	
LEESBURG, NJ		COTTER, LYNNE .....	9/20/2004	FLETCHER, MAURICE .....	9/20/2004
BAXTER-WINDLER, PATTY ....	9/20/2004	CHESAPEAKE, VA		EPPI, LA	
AUSTINBURG, OH		CRAIN, ADRAIN .....	9/20/2004	GUNTHER, BRIAN .....	9/20/2004
BRASH, TRENT .....	9/20/2004	CARUTHERSVILLE, MO		BRYN ATHYN, PA	
MONACA, PA		CUMRO, REBECCA .....	9/20/2004	HAMILTON, NICTORIA .....	9/20/2004
CLOUGH, LYNNE .....	9/20/2004	FRISCO, TX		GLENMORA, LA	
ALBION, NY		DAVIS, DARRELL .....	9/20/2004	HARRY, CATHERINE .....	9/20/2004
COOPER, ILONA .....	9/20/2004	STOCKTON, TX		AMITYVILLE, NY	
CHICKASHA, OK		DEANDREA, KRISTEN .....	9/20/2004	HEAD, SUE .....	9/20/2004
COOPER, MARIE .....	9/20/2004	ENGLEWOOD, CO		ORRTANNA, PA	
DRUMRIGHT, OK		EAGAN, SHARON .....	9/20/2004	JILES, DESMOND .....	9/20/2004
DAWSON, BURL .....	9/20/2004	LOUISVILLE, OH		BATESBURG-LEESVILLE, SC	
DRUMRIGHT, OK		FRASER, JOHN .....	9/20/2004	KLEIN, SAMUEL .....	9/20/2004
DAWSON, KARLA .....	9/20/2004	RAIFORD, FL		GREENWICH, CT	
DRUMRIGHT, OK		GARDNER, RONDA .....	9/20/2004	LANGE, AMANDA .....	9/20/2004
DAWSON, KARLA .....	9/20/2004	BLOOMINGTON, IN		ST CLOUD, MN	
DRUMRIGHT, OK		JENKINS, CHRISTINA .....	9/20/2004	MATT, JANET .....	9/20/2004
GARABRANDT, VICTORIA .....	9/20/2004	WHEAT RIDGE, CO		RUTLAND, VT	
DENNISON, OH		KING, JOEL .....	9/20/2004	MAZER, JOEL .....	9/20/2004
GUIOU, MARCI .....	9/20/2004	AUSTIN, TX		CLAWSON, MI	
RICHMOND, ME		KRUEGER, AMY .....	9/20/2004	PIERCE, PAUL .....	9/20/2004
HAUSMANN, CHARLES .....	9/20/2004	FORT WAYNE, IN		GARLAND, TX	
MILWAUKEE, WI		KUSZMAR, THADDEUS .....	9/20/2004	PITTS, ODIS .....	9/20/2004
HILEMAN, ROBERT .....	9/20/2004	RISING SUN, MD		OKLAHOMA CITY, OK	
MOHNTON, PA		LEE, GAILOR .....	9/20/2004	POLICINO, PATRICIA .....	9/20/2004
LANGSTON, RHONDA .....	9/20/2004	DUNCAN, OK		LANGHORN, PA	
PORTLAND, IN		LEE, KIMBERLY .....	9/20/2004	PUODZIUNIENE, FILIMENA ....	9/20/2004
MADDEN, PAMELA .....	9/20/2004	HALTOM CITY, TX		LAKEWOOD, CO	
BURLINGTON, KY		LEMAR, TENE .....	9/20/2004	RAMIREZ, CHARLIE .....	9/20/2004
MITCHELL, JOEL .....	9/20/2004	HOUSTON, TX		LOS ANGELES, CA	
NEWCASTLE, OK		MALAVE, ERNESTO .....	9/20/2004	SPICER, ALBERT .....	9/20/2004
NEWPORT, PAM .....	9/20/2004	GEORGETOWN, TX		POUGHKEEPSIE, NY	
SAPULPA, OK		MONTGOMERY, TANYA .....	9/20/2004	SWEATMAN, AARON .....	9/20/2004
PAPPION, DEBORAH .....	9/20/2004	VANDALIA, OH		NATCHEZ, MS	
OCALA, FL		NESTLEHUT, RAQUEL .....	9/20/2004	TAYLOR, LAFENUS .....	9/20/2004
REINBOLT, DANIEL .....	9/20/2004	CONWAY, AR		BALTIMORE, MD	
TOLEDO, OH		NIX, JACKIE .....	9/20/2004	WEIS, KELLIE .....	9/20/2004
ROBERTS, VALERIE .....	9/20/2004	EVANSVILLE, IN		LOYALTON, CA	
RAVENEL, SC		PARSA, BRUCE .....	9/20/2004	ZYLSTRA, JAMES .....	9/20/2004
SIMMS, BRANDI .....	9/20/2004	LEAVENWORTH, KS		ST CLOUD, MN	
CINCINNATI, OH		PULIVARTHI, VENKATA .....	9/20/2004	<b>CONVICTION FOR HEALTH CARE FRAUD</b>	
SMITH, KATHY .....	9/20/2004	DALLAS, TX		ELCHISCO, GEORGE .....	9/20/2004
SACO, ME		ROBERTS, AARON .....	9/20/2004	TOLEDO, OH	
SMITH, STEUART .....	9/20/2004	MANCHESTER, MO		MCCALL, EILEEN .....	9/20/2004
DENVER, CO		ROPER, BONNIE .....	9/20/2004	MERRIMACK, NH	
STINEBUCK, JANET .....	9/20/2004	CLEARFIELD, UT		<b>CONVICTION-OBSTRUCTION OF AN INVESTIGATION</b>	
DRUMRIGHT, OK		SANZENBACHER, ERIC .....	9/20/2004	BISIG, PHILIP .....	9/20/2004
STREETER, SUSAN .....	9/20/2004	SALT LAKE CITY, UT		LOUISVILLE, KY	
SPENCER, MA		SAWYER, SUZETTE .....	9/20/2004	<b>LICENSE REVOCATION/SUSPENSION/ SURRENDERED</b>	
TARWATER, DOYLE .....	9/20/2004	SARATAGO SPRINGS, UT		ADAMS, VALERIE .....	9/20/2004
MCMURRAY, PA		SINGH, RAJINDER .....	9/20/2004	PONCA CITY, OK	
TSCHINKEL, ROBERT .....	9/20/2004	EAST LIVERPOOL, OH		ADERMAN, BONNIE .....	9/20/2004
HUDSON, OH		STRINGHAM, GREGORY .....	9/20/2004	PANA, IL	
WAGNER, JEAN .....	9/20/2004	DALLAS, TX		ALBRECHT, KATHLEEN .....	9/20/2004
SHERRODSVILLE, OH		STUBBINS, DONNA .....	9/20/2004	COUNCIL BLUFFS, IA	
WASHBURN, JUDITH .....	9/20/2004	WAUSEON, OH		BARR, EVELYN .....	9/20/2004
LIBERTY HILL, TX		TRUSNOVIC, WILLIAM .....	9/20/2004	ANDERSON, IN	
YOUATT, NED .....	9/20/2004	STEUBENVILLE, OH		BATTAGLIA, LINDA .....	9/20/2004
ROMEO, MI		<b>PATIENT ABUSE/NEGLECT CONVICTIONS</b>		CAMBRIDGE, MA	
<b>FELONY CONTROL SUBSTANCE CONVICTION</b>		BROWN, TRISTAN .....	9/20/2004	BENTON, JEFFERY .....	9/20/2004
ARCHIBALD, BARBARA .....	9/20/2004	HOUSTON, TX		TURLOCK, CA	
PALMER, AK		CASTRO, RICARDO .....	9/20/2004	BERG, DALRIE .....	9/20/2004
ARREDONDO, NORMA .....	9/20/2004	MIAMI BEACH, FL			
CORPUS CHRISTI, TX		DIAZ, AURELIANO .....	9/20/2004		
BROCK, SANDRA .....	9/20/2004	LAKESWOOD, CO			
COLUMBUS, OH		DOMINGO, CLEOFE .....	9/20/2004		
CAMMACK, JAMES .....	9/20/2004	WAIPAHU, HI			
		DOMINGO, MANNY .....	9/20/2004		

Subject city, state	Effective date	Subject city, state	Effective date	Subject city, state	Effective date
WESTMINSTER, CO		KINGMAN, AZ		INDIANAPOLIS, IN	
BERMUDEZ, ANGELA .....	9/20/2004	LINTAG, RODOLFO .....	9/20/2004	VONHOFFEN, LAURA .....	9/20/2004
FONTANA, CA		EDISON, NJ		TREVOR, WI	
BERRY, DAVID .....	9/20/2004	LOWE, AVERILL .....	9/20/2004	WALLACE, GRETCHEN .....	9/20/2004
BATON ROUGE, LA		JACKSONVILLE, FL		GATESVILLE, TX	
BERRY, MELANIE .....	9/20/2004	MANGIONE, MICHELE .....	9/20/2004	WALTERS, BLOSSOM .....	9/20/2004
KENT, WA		WALDWICK, NJ		NAPLES, FL	
BIGBY, PEGGY .....	9/20/2004	MCCABE, VALERIE .....	9/20/2004	WARD, BRANDY .....	9/20/2004
NORMAN, OK		KEARNY, NJ		SMITHFIELD, NC	
BOONE, CHRISTI .....	9/20/2004	MEECE, KENNY .....	9/20/2004	WATSON, DONNA .....	9/20/2004
PORT LAVACA, TX		HOT SPRINGS, AR		RUTLAND, VT	
BOOTH, MICHELLE .....	9/20/2004	MENARD, NOREEN .....	9/20/2004	WILDER, MARGARET .....	9/20/2004
KENT, WA		N BROOKFIELD, MA		WINSTON-SALEM, NC	
BOWLER, BRIAN .....	9/20/2004	MENDEZ, BRANDIE .....	9/20/2004		
BRIGHAM CITY, UT		HAUGHTON, LA		<b>FEDERAL/STATE EXCLUSION/ SUSPENSION</b>	
BRADY, VERONICA .....	9/20/2004	MENNE, CYNTHIA .....	9/20/2004		
SPANAWAY, WA		MAPLE HEIGHTS, OH		CLAYTON CARE CORPORA- TION .....	9/20/2004
BUDWICK, CARLENA .....	9/20/2004	MILLER, THOMAS .....	9/20/2004	DES MOINES, IA	
SARATOGA SPRINGS, NY		FORT MYERS, FL		RAMSDEN, SUZANNE .....	9/20/2004
CAIN, KARLA .....	9/20/2004	MOSELEY, IDA .....	9/20/2004	POUGHKEEPSIE, NY	
MIDWEST CITY, OK		HENDERSON, NV			
CALLAWAY, MAUREEN .....	9/20/2004	MOWER, KENNETH .....	9/20/2004	<b>FRAUD/KICKBACKS/PROHIBITED ACTS/ SETTLEMENT AGREEMENTS</b>	
HOUSTON, TX		LAS VEGAS, NV			
CARTY, REBECCA .....	9/20/2004	NEPSA, REBECCA .....	9/20/2004	BAKER, TERESA .....	9/8/2003
INDIANAPOLIS, IN		MONROE, NC		AIDERSON, WV	
CLIFTON, LORETTA .....	9/20/2004	NEWTON, GLENN .....	9/20/2004	BRISTOL, ROBERT .....	5/6/2004
PHOENIX, AZ		CLAREMORE, OK		GLEN MILLS, PA	
DAIL, JOSHUA .....	9/20/2004	OUSLEY, SHARON .....	9/20/2004	COUSER, WILLIAM .....	8/3/2004
COLORADO SPRINGS, CO		FLORENCE, KY		WOODINVILLE, WA	
DARBY, KENNETH .....	9/20/2004	PATEL, VITTHAL .....	9/20/2004	REGENCY HEALTH SERV- ICES, INC .....	5/6/2004
SHAKER HEIGHTS, OH		AVENEL, NJ		FORESTVILLE, MD	
DEVENISH, JAMIE .....	9/20/2004	PIERCE, WILLIAM .....	9/20/2004	ROBBINS, CLAUDE .....	9/8/2003
SPRINGVILLE, UT		BERLIN, MD		BEAVE, WV	
DONSBACH, HOLLY .....	9/20/2004	POWELL, SONYA .....	9/20/2004		
SHIREMANSTOWN, PA		AMARILLO, TX		<b>OWNED/CONTROLLED BY CONVICTED ENTITIES</b>	
DRESSER, JAMES .....	9/20/2004	ROBINSON, SHANNON .....	9/20/2004		
EL CAJON, CA		FORT SMITH, AR		FAMILY HEALTH CENTER, P C .....	9/20/2004
EDWARDS, LEAH .....	9/20/2004	ROGERS, MISTY .....	9/20/2004	CEDAR RAPIDS, IA	
NEW SMYRNA BEACH, FL		COTTONWOOD, AZ		PATRICK J VALICENTI, D D S, P C .....	9/20/2004
EGE, MICHAEL .....	9/20/2004	ROYSTER, WILLIE .....	9/20/2004	NEWBURGH, NY	
DE KALB, IL		MAY, TX		RICARDO CASTRO, MD, PA ..	9/20/2004
ESTRADA, MOISES .....	9/20/2004	ROZARIO, TERENCE .....	9/20/2004	MIAMI BEACH, FL	
BOYES HOT SPRINGS, CA		RENO, NV			
ESTRADA, TANIA .....	9/20/2004	RUDOLPH, LAWRENCE .....	9/20/2004	<b>DEFAULT ON HEAL LOAN</b>	
LOS ANGELES, CA		EL PASO, TX			
FLORES, MARIE .....	9/20/2004	SANCHEZ, ARMANDO .....	9/20/2004	BARNES, DE ELWARD .....	9/20/2004
PISCATAWAY, NJ		HOUSTON, TX		LOS ANGELES, CA	
FORRESTER, MELISSA .....	9/20/2004	SHAVER, STEVEN .....	9/20/2004	BESSONETT, PAULA .....	9/20/2004
OROVILLE, CA		LAS VEGAS, NV		TYLER, TX	
GILCHRIST, MARY .....	9/20/2004	SHORTER, LATRICE .....	9/20/2004	CALOF, JAN .....	9/20/2004
PEABODY, MA		SAN BERNARDINO, CA		GRANADA HILLS, CA	
HELLMANN, JAMES .....	9/20/2004	SOOY, CHRISTOPHER .....	9/20/2004	CARLSON, JOANNE .....	9/20/2004
SEATTLE, WA		WOODLAND FALLS, CA		ALAMEDA, CA	
HENDERSON, DEMETA .....	9/20/2004	STODDARD, LARRY .....	9/20/2004	DAWS, MICHAEL .....	7/29/2004
HENDERSON, NV		LAYTON, UT		ENGLEWOOD, CO	
HOLLAND, VICKEY .....	9/20/2004	STRONG, LUTRICE .....	9/20/2004	MORA, MATTHEW .....	9/20/2004
TUSKAHOMA, OK		MILWAUKEE, WI		PLEASANTON, CA	
JOHNSON, EMILIE .....	9/20/2004	SURDY, JAMES .....	9/20/2004	STEPHENS, RYAN .....	9/20/2004
AUBURN, WA		AUSTIN, MN		ONTARIO, OR	
JOLLY, SANDRA .....	9/20/2004	TALBOT, THOMAS .....	9/20/2004	TAYMOORI, ZAHRA .....	9/20/2004
EDWARDSVILLE, IL		FRESNO, CA		ENCINO, CA	
JONES, SHEILA .....	9/20/2004	TAYLOR, DRENDA .....	9/20/2004		
SHREVEPORT, LA		LAS VEGAS, NV		<b>OWNERS OF EXCLUDED ENTITIES</b>	
JULIUS, CHARLEEN .....	9/20/2004	THOMSON, BARBARA .....	9/20/2004		
RUTLAND, VT		PEORIA, AZ		POTOCKSKY, I .....	9/20/2004
LABONTE, MARY .....	9/15/2004	TOURAY, BRIAN .....	9/20/2004	WEST BLOOMFIELD, MI	
SCOTTSDALE, AZ		DENVER, CO			
LEEDS, JENNIFER .....	9/20/2004	TURNER, DONNA .....	9/20/2004		
LEOMINSTER, MA		NORWALK, CA			
LEHRMAN, MONA .....	9/20/2004	TUSOW, TERRY .....	9/20/2004		
TULSA, OK		SUPERIOR, WI			
LINE, JASON .....	9/20/2004	UCKAN, EDA .....	9/20/2004		
ST ALBANS, VT		CLERMONT, FL			
LINSON, JEANETTE .....	9/20/2004	VIENS-BAINS, AMARJIT .....	9/20/2004		

Dated: August 31, 2004.

**Katherine B. Petrowski,**

*Director, Exclusions Staff, Office of Inspector General.*

[FR Doc. 04-20710 Filed 9-14-04; 8:45 am]

BILLING CODE 4150-04-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### Pilot Program for the Mitigation of Severe Repetitive Loss Properties

**AGENCY:** Mitigation Division, Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Notice of meeting and request for comments.

**SUMMARY:** Section 1361A of the National Flood Insurance Act of 1968 (the Act), as amended by section 102 of the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004 (Pub. L. 108-264), 42 U.S.C. 4102a., authorizes a new Pilot Program for the Mitigation of Severe Repetitive Loss Properties. Section 1361A(j) of the Act requires FEMA to consult with State and local officials and to provide an opportunity for oral presentation, on the record, of the data and arguments from such officials on developing procedures for the distribution of funds to carry out eligible mitigation activities under the Pilot Program. Accordingly, with this notice FEMA is initiating consultation with State and local officials, as well as members of the public, on procedures for the new Pilot Program. Interested parties may submit written comments in response to this notice during the consultation period. During this period, FEMA will hold a meeting in mid-November, 2004 with representative officials of State and local governments, organizations representing the emergency management, floodplain management, and insurance professions, and other interested parties, for input on overall program requirements and procedures for the new grant funds, including issues raised in this notice.

**DATES:** Written comments may be received no later than November 30, 2004.

**ADDRESSES:** Please send written comments, including responses to the questions raised in this notice, to the Rules Docket Clerk, Office of the General Counsel, Federal Emergency Management Agency, 500 C Street, SW., room 840, Washington DC 20472,

(facsimile) (202) 646-4536, or (e-mail) [FEMA-RULES@dhs.gov](mailto:FEMA-RULES@dhs.gov).

#### FOR FURTHER INFORMATION CONTACT:

Cecelia Rosenberg, Federal Emergency Management Agency, Mitigation Division, Risk Reduction Branch, 500 C Street, SW., room 417, Washington, DC 20472, (202) 646-3321 or e-mail [Cecelia.Rosenberg@dhs.gov](mailto:Cecelia.Rosenberg@dhs.gov).

**SUPPLEMENTARY INFORMATION:** The purpose of this Notice is to announce that FEMA is soliciting input from State and local officials, as well as from the emergency management, floodplain management, and insurance industry communities, and other interested parties on considerations for the development of grant program requirements and procedures for the newly authorized Pilot Program for the Mitigation of Severe Repetitive Loss Properties. FEMA will hold a meeting in mid-November, 2004 with representative State and local officials for oral comment on the issues raised in this notice, and also invites all interested parties to provide written comments by November 30, 2004.

**Program Description.** Section 1361A of the Act authorizes FEMA to implement a Pilot Program that would provide financial assistance to States and communities for the Mitigation of Severe Repetitive Loss Properties with funding of up to \$40 million each year that will remain available until expended. The Pilot Program represents a concentrated effort to mitigate those insured properties that have suffered the greatest amount of damage in terms of claims against the National Flood Insurance Fund. Severe repetitive loss properties are defined in section 1361A(b)(1) of the Act as Single Family Properties consisting of one to four family residences that are covered under a contract for flood insurance made available under the Act which have had four or more claims with each claim exceeding \$5,000 and with the cumulative payments exceeding \$20,000, or which have had at least two claim payments that cumulatively exceed the value of the property. Section 1361A(l) of the Act requires that the Pilot Program terminate on September 30, 2009.

In summary, the Act contains the following provisions for the Pilot Program:

- Section 1361A(b)(2) of the Act requires FEMA to provide the definition of a severe repetitive loss property as it pertains to property consisting of five or more residences;
- Section 1361A(c) of the Act identifies the mitigation activities eligible for funding;

- Section 1361A(d) of the Act provides FEMA with the authority to establish cost-share incentives for States participating in the program;

- Section 1361A(e) of the Act requires FEMA to identify severe repetitive loss properties and notify States, communities, and owners of such properties of the availability of mitigation assistance as well as the consequences of declining such mitigation offers;

- Sections 1361A(f) and section 1361A(g) of the Act establish standards and limitations by which FEMA can make mitigation offers;

- Section 1361A(h)(1) through (5) of the Act provides for insurance rate increases for property owners who decline mitigation offers within participating States;

- Section 1361A(h)(6) of the Act requires FEMA to establish a process through which policyholders may appeal insurance rate increases imposed when declining offers of mitigation, and to submit a report to Congress on rules, procedures, and administration of this process;

- Section 1361A(j)(1) of the Act requires FEMA to develop rules governing procedures for the distribution of funds to States; and

- Section 1361A(j)(2) of the Act requires FEMA to consult with State and local officials within 90 days of the passage of this Act to provide an oral presentation, on the record, of data and arguments for developing procedures for the distribution of funds to States and communities to carry out eligible mitigation activities.

**Incentives and Consequences.** Section 1361A of the Act provides FEMA with the authority to establish incentives and consequences designed to increase participation in the Pilot Program and to reduce the number of severe repetitive loss properties in the National Flood Insurance Program. Section 1361A(d)(2) of the Act allows FEMA to increase the Federal share of a grant awarded to recipients under the Pilot Program from 75 percent to 90 percent if the State has a FEMA-approved State mitigation plan consistent with 44 CFR Part 201 that specifies how the State will reduce the number of severe repetitive loss properties and if the State has taken actions to mitigate the severe repetitive loss properties within the State. Section 1361A(h)(1) and (2) of the Act requires FEMA to impose insurance premium rate increases for property owners who decline mitigation offers under the Pilot Program.

**Notification.** Section 1361A(e)(1)(A) through (C) and section 1361A(e)(2) of the Act require that FEMA identify and