

solution, including the exchange/sale authority authorized under law.

Comment: Generally characterized as “The exchange/sale program only returns “pennies on the dollar” to the agency, whereas disposing of the asset through other methods provides a greater benefit to other agencies or donees.” (3 comments).

GSA Response: It is in agencies’ best interests to maximize their available funds by obtaining the best return on their personal property investments. Therefore, there is little support for the comment that agencies would intentionally fund their aviation requirements by selling their aviation assets for anything less than the best price.

Also, GSA notes that the exchange/sale regulation at FMR § 102–39.55 allows agencies to offer personal property through either a reimbursable transfer with another agency, or through a negotiated sale with a State Agencies for Surplus Property (SASP). GSA is not aware of any such request by an agency or SASP offering to pay below-fair-market value to obtain aviation property. If the holding agency were truly selling items at just pennies on the dollar, then we would expect other Federal agencies and SASPs to be eager to obtain such assets at bargain prices. However, GSA has never observed such a transaction, leading to the conclusion that agencies are not willing to sell aircraft for minimal, below-fair-market value prices.

Comment: Generally characterized as “the exchange/sale authorities should be subordinate to the donation authorities.” (2 comments)

GSA Response: GSA recognizes the vast benefits provided to the nation by the utilization and donation programs. At the same time, GSA also recognizes that under the expressed direction of Congress contained in 40 U.S.C. 503, the authority to conduct exchange/sale transactions is granted directly to Federal agencies (40 U.S.C. 503(a)). On the other hand the donation program authority is granted exclusively to GSA, with such transfers being made at GSA’s discretion (40 U.S.C. 549(b)). GSA therefore rejects the argument that its discretionary authority takes precedence over statutory authority granted to all other agencies. GSA also reiterates the argument that donation authority applies only to surplus property, whereas exchange/sale authority applies to non-surplus property, rendering moot any discussion of subordinate and superior authorities.

Finally, there is the issue of fire control systems and guided missiles. Over the past several years, GSA has

worked with Department of Defense (DOD) agencies on deviations to allow the exchange/sale of fire control systems (FSC Group 12) and guided missiles (FSC Group 14). These assets are also on the prohibited list at FMR § 102–39.60(a). GSA observes that the “Note” to this section removes the requirement for deviations from the prohibited list for DOD transactions of these FSC Groups when otherwise meeting DOD and Federal laws and regulations. Because other, more stringent DOD and Federal laws are in place to prevent the inappropriate use of these assets outside their intended use, GSA sees no value in keeping these on the exchange/sale prohibited list. For these reasons, and since there would be no other legitimate, competing interests in obtaining this property outside the realm in which DOD operates, GSA does not see a need to obtain public comment on this matter through the publication of a proposed rule.

B. Executive Order 12866 and 13563

Executive Orders 12866 and 13563 direct agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility. This is not a significant regulatory action and, therefore, was not subject to review under Section 6(b) of Executive Order 12866, Regulatory Planning and Review, dated September 30, 1993. This rule is not a major rule under 5 U.S.C. 804.

C. Regulatory Flexibility Act

This final rule will not have a significant economic impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.*, because the revisions are not considered substantive. This final rule is also exempt from the Regulatory Flexibility Act per 5 U.S.C. 553(a)(2) because it applies to agency management or personnel. However, this final rule is being published to provide transparency in the promulgation of Federal policies.

D. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the changes to the FMR do not impose information collection requirements that require the approval of the Office of Management

and Budget under 44 U.S.C. 3501, *et seq.*

E. Small Business Regulatory Enforcement Fairness Act

This final rule is exempt from Congressional review under 5 U.S.C. 801 since it relates solely to agency management and personnel.

List of Subjects in 41 CFR Part 102–39

Government property management and Personal property.

Dated: August 7, 2011.

Martha Johnson,

Administrator of General Services.

For the reasons set forth in the preamble, GSA amends 41 CFR part 102–39 as set forth below:

PART 102–39—REPLACEMENT OF PERSONAL PROPERTY PURSUANT TO THE EXCHANGE/SALE AUTHORITY

■ 1. The authority citation for 41 CFR part 102–39 continues to read as follows:

Authority: 40 U.S.C. 121(c); 40 U.S.C. 503.

■ 2. Amend § 102–39.60—

- a. In paragraph (a) by removing the third entry “12 Fire control equipment”, the fourth entry “14 Guided missiles”; and, the fifth entry “15 Aircraft and airframe structural components (except FSC Class 1560 Airframe Structural Components)”;
- b. In paragraph (l) by removing “584” and adding “548” in its place; and
- c. By adding paragraph (m) to read as follows:

§ 102–39.60 What restrictions and prohibitions apply to the exchange/sale of personal property?

* * * * *

(m) Aircraft and aircraft parts, unless there is full compliance with all exchange/sale provisions in part 102–33 of this chapter (41 CFR part 102–33).

[FR Doc. 2011–27757 Filed 10–31–11; 8:45 am]

BILLING CODE 6820–14–P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA–2011–0002; Internal Agency Docket No. FEMA–8203]

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
Region III				
Pennsylvania:				
Beccaria, Township of, Clearfield County.	421512	April 8, 1976, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	Nov. 2, 2011	Nov. 2, 2011.
Bigler, Township of, Clearfield County ..	421514	January 22, 1976, Emerg; November 16, 1990, Reg; November 2, 2011, 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
Bloom, Township of, Clearfield County	422379	September 21, 1979, Emerg; August 24, 1984, Reg; November 2, 2011, Susp.	.....do	Do.
Boggs, Township of, Clearfield County	421515	May 11, 1984, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Bradford, Township of, Clearfield County.	421516	November 7, 1979, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Brady, Township of, Clearfield County ..	421517	February 1, 1977, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Brisbin, Borough of, Clearfield County ..	420297	September 21, 1976, Emerg; August 3, 1984, Reg; November 2, 2011, Susp.	.....do	Do.
Burnside, Borough of, Clearfield County	420298	February 28, 1977, Emerg; July 17, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
Burnside, Township of, Clearfield County.	421518	January 29, 1976, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Chest, Township of, Clearfield County ..	421519	April 11, 1980, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Clearfield, Borough of, Clearfield County.	420300	August 24, 1973, Emerg; September 5, 1979, Reg; November 2, 2011, Susp.	.....do	Do.
Coalport, Borough of, Clearfield County	420301	August 12, 1975, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
Cooper, Township of, Clearfield County	421520	January 13, 1976, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Covington, Township of, Clearfield County.	421521	October 6, 1976, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Curwensville, Borough of, Clearfield County.	420302	April 7, 1975, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
Decatur, Township of, Clearfield County	421189	March 18, 1977, Emerg; November 16, 1990, Reg; November 2, 2011, Susp.	.....do	Do.
Dubois, City of, Clearfield County	420303	December 19, 1973, Emerg; December 1, 1978, Reg; November 2, 2011, Susp.	.....do	Do.
Ferguson, Township of, Clearfield County.	422380	September 27, 1976, Emerg; August 3, 1984, Reg; November 2, 2011, Susp.	.....do	Do.
Girard, Township of, Clearfield County	422381	October 12, 1976, Emerg; June 17, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Glen Hope, Borough of, Clearfield County.	420305	March 2, 1977, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Goshen, Township of, Clearfield County	422382	March 8, 1976, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Graham, Township of, Clearfield County.	421522	October 5, 1976, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Grampian, Borough of, Clearfield County.	420306	July 24, 1975, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
Greenwood, Township of, Clearfield County.	421523	August 10, 1979, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Gulich, Township of, Clearfield County	421524	January 21, 1976, Emerg; November 16, 1990, Reg; November 2, 2011, Susp.	.....do	Do.
Houtzdale, Borough of, Clearfield County.	420307	January 26, 1977, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Huston, Township of, Clearfield County	421525	February 24, 1981, Emerg; January 3, 1990, Reg; November 2, 2011, Susp.	.....do	Do.
Irvona, Borough of, Clearfield County ...	420308	December 6, 1976, Emerg; November 3, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
Karthaus, Township of, Clearfield County.	421526	February 28, 1977, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Mahaffey, Borough of, Clearfield County.	420310	February 28, 1977, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
Morris, Township of, Clearfield County	421529	November 17, 1975, Emerg; December 5, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
New Washington, Borough of, Clearfield County.	420312	March 16, 1977, Emerg; August 3, 1984, Reg; November 2, 2011, Susp.	.....do	Do.
Pike, Township of, Clearfield County	421190	December 3, 1979, Emerg; September 15, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
Sandy, Township of, Clearfield County	421191	July 9, 1975, Emerg; September 6, 1989, Reg; November 2, 2011, Susp.	.....do	Do.
Troutville, City of, Clearfield County	420315	March 14, 1980, Emerg; December 17, 1985, Reg; November 2, 2011, Susp.	.....do	Do.
Union, Township of, Clearfield County ..	421531	January 12, 1984, Emerg; September 1, 1987, Reg; November 2, 2011, Susp.	.....do	Do.
Westover, Borough of, Clearfield County.	420317	July 23, 1975, Emerg; August 15, 1989, Reg; November 2, 2011, 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
Virginia: Poquoson, City of, Independent City.	510183	August 29, 1973, Emerg; May 16, 1977, Reg; November 2, 2011, Susp.	.....do	Do.
Region IV				
Alabama:				
Auburn, City of, Lee County	010144	November 21, 1974, Emerg; September 16, 1981, Reg; November 2, 2011, Susp.	.....do	Do.
Lee County, Unincorporated Areas	010250	N/A, Emerg; December 29, 2005, Reg; November 2, 2011, Susp.	.....do	Do.
Opelika, City of, Lee County	010145	June 20, 1975, Emerg; September 16, 1981, Reg; November 2, 2011, Susp.	.....do	Do.
Smiths Station, City of, Lee County	010491	N/A, Emerg; August 24, 2009, Reg; November 2, 2011, Susp.	.....do	Do.
Demopolis, City of, Marengo County	010157	August 21, 1975, Emerg; December 17, 1987, Reg; November 2, 2011, Susp.	.....do	Do.
Linden, City of, Marengo County	010158	December 27, 1974, Emerg; September 18, 1985, Reg; November 2, 2011, Susp.	.....do	Do.
Marengo County, Unincorporated Areas	010156	July 21, 1975, Emerg; January 17, 1990, Reg; November 2, 2011, Susp.	.....do	Do.
Providence, Town of, Marengo County	010159	N/A, Emerg; January 30, 2008, Reg; November 2, 2011, Susp.	.....do	Do.
Thomaston, Town of, Marengo County	010273	June 8, 1976, Emerg; August 19, 1985, Reg; November 2, 2011, Susp.	.....do	Do.
Kentucky:				
McCracken County, Unincorporated Areas.	210151	July 24, 1975, Emerg; June 4, 1980, Reg; November 2, 2011, Susp.	.....do	Do.
Paducah, City of, McCracken County ...	210152	May 12, 1975, Emerg; April 15, 1980, Reg; November 2, 2011, Susp.	.....do	Do.
Tennessee:				
Claiborne County, Unincorporated Areas.	470212	April 16, 1974, Emerg; May 4, 1988, Reg; November 2, 2011, Susp.	.....do	Do.
New Tazewell, City of, Claiborne County.	470030	November 1, 1974, Emerg; August 5, 1986, Reg; November 2, 2011, Susp.	.....do	Do.
Tazewell, City of, Claiborne County	475449	October 30, 1970, Emerg; October 30, 1970, Reg; November 2, 2011, Susp.	.....do	Do.
Region V				
Illinois:				
Cave-In-Rock, Village of, Hardin County	170274	August 27, 1975, Emerg; December 1, 1983, Reg; November 2, 2011, Susp.	.....do	Do.
Elizabethtown, Village of, Hardin County.	170275	July 2, 1975, Emerg; September 15, 1983, Reg; November 2, 2011, Susp.	.....do	Do.
Rosiclare, City of, Hardin County	170276	July 3, 1975, Emerg; September 15, 1983, Reg; November 2, 2011, Susp.	.....do	Do.

.....do = Ditto.

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

Dated: October 13, 2011.

Edward L. Connor,

Deputy Associate Administrator for Federal Insurance, Department of Homeland Security, Federal Emergency Management Agency.

[FR Doc. 2011-28217 Filed 10-31-11; 8:45 am]

BILLING CODE 9110-12-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 11-1689]

Radio Broadcasting Services; Various Locations

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Audio Division, on its own motion, updates the FM Table of Allotments to reinstate certain vacant FM allotments. Formerly, the FM Table listed all vacant FM allotments as well as FM channels and communities occupied by authorized facilities. In 2006, the Commission removed the allotments of authorized and awarded FM facilities from the FM Table in order to accommodate the new application procedures for radio stations to change their communities of license. However, when an authorization is cancelled, the vacant allotment must be reinstated in the FM Table to preserve the opportunity to license a future station in the specified community. Accordingly,

we are adding to the FM Table of Allotments thirty allotments in various communities that are considered vacant FM allotments.

DATES: Effective November 1, 2011.

ADDRESSES: Secretary, Federal Communications Commission, 445 Twelfth Street, SW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Rolanda F. Smith, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Report and Order, adopted October 6, 2011, and released October 7, 2011. The full text of this Commission decision is available for inspection and copying during normal business hours in the