

**FEDERAL EMERGENCY
MANAGEMENT AGENCY****44 CFR Part 64****[Docket No. FEMA-7648]****Suspension of Community Eligibility****AGENCY:** Federal Emergency Management Agency, FEMA.**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 suspended 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floodplain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the Federal Register.

EFFECTIVE DATE: The effective date of each community's suspension is the third date ("Susp.") listed in the third column of the following tables.

ADDRESSES: If you wish to determine whether a particular community was suspended on the suspension date, contact the appropriate FEMA Regional Office or the NFIP servicing contractor.

FOR FURTHER INFORMATION CONTACT: Robert F. Shea, Jr., Division Director, Program Implementation Division, Mitigation Directorate, 500 C Street, SW., Room 417, Washington, DC 20472, (202) 646-3619.

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 National Flood Insurance Program, 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 et seq. 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, the Federal Emergency Management Agency has identified the special flood hazard areas 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 the identified special flood hazard area of communities not participating in the NFIP and identified for more than a year, on the Federal Emergency Management Agency'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 Acting Associate Director 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 a 6-month, 90-day, and 30-day notification addressed to the Chief Executive Officer that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications have been 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 Acting Associate Director 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 they take remedial action.

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.

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.

Executive Order 12612, Federalism

This rule involves no policies that have federalism implications under Executive Order 12612, Federalism, October 26, 1987, 3 CFR, 1987 Comp., p. 252.

Executive Order 12778, Civil Justice Reform

This rule meets the applicable standards of section 2(b)(2) of Executive Order 12778, October 25, 1991, 56 FR 55195, 3 CFR, 1991 Comp., p. 309.

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/location	Community No.	Effective date of eligibility	Current effective map date	Date certain Federal assistance no longer available in special flood hazard areas
Region II				
New York:				
Ticonderoga, town of, Essex County	361159	Apr. 15, 1975, Emerg.; May 17, 1988, Reg.; Sept. 6, 1996, Susp.	Sept. 6, 1996	Sept. 6, 1996.
Wellsville, village of, Allegany County	360036	May 10, 1975, Emerg.; July 17, 1978, Reg.; Sept. 6, 1996, Susp.	.....do	Do.
Region III				
West Virginia: Danville, town of, Boone County	540230	July 1, 1975, Emerg.; Apr. 16, 1991, Reg.; Sept. 6, 1996, Susp.	.....do	Do.
Region V				
Indiana: Brownstown, town of, Jackson County	180317	Jan. 29, 1976, Emerg.; Jan. 3, 1985, Reg.; Sept. 6, 1996, Susp.	.....do	Do.
Minnesota: Cannon Falls, city of, Goodhue County	270141	Apr. 5, 1974, Emerg.; Jan. 2, 1981, Reg.; Sept. 6, 1996, Susp.	.....do	Do.
Region II				
New York:				
Dresden, town of, Washington County	361410	Jan. 25, 1977, Emerg.; July 3, 1986, Reg.; Sept. 20, 1996, Susp.	Sept. 20, 1996	Sept. 20, 1996.
Hillburn, village of, Rockland County	360683	June 18, 1975, Emerg.; Jan. 6, 1982, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Region III				
Pennsylvania: Shirley, township of, Huntingdon County	421700	Feb. 4, 1976, Emerg.; Aug. 15, 1989, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Region IV				
Florida: Bay County, unincorporated areas	120004	May 12, 1975, Emerg.; July 2, 1981, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Region V				
Indiana: Scottsburg, city of, Scotts County	180234	Apr. 7, 1975, Emerg.; Aug. 19, 1985, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Michigan: Hartland, township of, Livingston County	260784	Nov. 25, 1986, Emerg.; May 17, 1989, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Ohio: Riverside, city of, Montgomery County	390416	May 12, 1976, Emerg.; Dec. 15, 1981, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Region VI				
New Mexico:				
Albuquerque, city of, Bernalillo County	350002	Sept. 9, 1974, Emerg.; October 14, 1983, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Bernalillo County, unincorporated areas	350001	Aug. 26, 1974, Emerg.; Sept. 15, 1983, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Tijeras, village of, Bernalillo County	350135	July 9, 1975, Emerg.; Jan. 6, 1983, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Region X				
Alaska: Fairbanks North Star, borough of, Fairbanks North Star Borough.	025009	May 15, 1970, Emerg.; June 25, 1969, Reg.; Sept. 20, 1996, Susp.	.....do	Do.
Washington: Skagit County, unincorporated areas	530151	June 25, 1971, Emerg.; Jan. 3, 1985, Reg.; Sept. 20, 1996, Susp.	Sept. 29, 1989	Do.

Code for reading third column: Emerg.-Emergency; Reg.-Regular; Rein.-Reinstatement; Susp.-Suspension.

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

Issued: August 22, 1996.

Richard W. Krimm,
Acting Associate Director, Mitigation
Directorate.

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JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

45 CFR Part 2400

Fellowship Program Requirements

AGENCY: James Madison Memorial
Fellowship Foundation.

ACTION: Final rule.

SUMMARY: The following are revised regulations governing the annual competition for James Madison Fellowships and the obligations of James Madison Fellows. These regulations update and replace several aspects of the the Foundation's existing regulations as implemented by the James Madison Memorial Fellowship Act of 1986. These revised regulations govern the qualifications and applications of candidates for fellowships; the selection of Fellows by the Foundation; the graduate programs Fellows must pursue; the terms and conditions attached to awards; the Foundation's annual Summer Institute on the Constitution; and related requirements and expectations regarding fellowships.

DATES: September 5, 1996.

ADDRESSES: James Madison Memorial Fellowship Foundation, 2000 K Street, NW, Suite 303, Washington, DC 20006-1809.

FOR FURTHER INFORMATION CONTACT:
Lewis F. Larsen, (202) 653-8700.

SUPPLEMENTARY INFORMATION: The reason for the changes to the Foundation's regulations comes as a result of the Foundation's desire to clarify several of the rules and regulations which James Madison Fellows must observe when accepting their fellowships. Although many of the changes are minor insertions of words and punctuation, this document specifically expands the definition section to include further detailed definitions on Credit Hour Equivalent, Incomplete, Repayment, Satisfactory Progress, Stipend, Teaching Obligation, Termination and Withdrawal. The Foundation now encourages James Madison Fellows to choose a graduate program which does not include the writing of a thesis. Graduate programs

for which Fellows may apply have been broadened to include political science. Finally, a section entitled "Teaching Obligation" was added to further clarify the obligation to teach, required by the Foundation once each fellow has earned a master's degree.

The Foundation did not receive any comments regarding these regulations during the public comment period.

List of Subjects in 45 CFR Part 2400

Education, Fellowships.

Dated: August 26, 1996.

Paul A. Yost, Jr.,
President.

For the reasons set forth in the preamble and under authority of 20 U.S.C. 4501 *et seq.*, Chapter XXIV, Title 45 of the Code of Federal Regulations is amended by revising part 2400 to read as follows:

CHAPTER XXIV—JAMES MADISON MEMORIAL FELLOWSHIP FOUNDATION

Part 2400—Fellowship Program Requirements

Subpart A—General

- 2400.1 Purposes.
- 2400.2 Annual competition.
- 2400.3 Eligibility.
- 2400.4 Definitions.

Subpart B—Application

- 2400.10 Application.
- 2400.11 Faculty representatives.

Subpart C—Application Process

- 2400.20 Preparation of application.
- 2400.21 Contents of application.
- 2400.22 Application deadline.

Subpart D—Selection of Fellows

- 2400.30 Selection criteria.
- 2400.31 Selection process.

Subpart E—Graduate Study

- 2400.40 Institutions of graduate study.
- 2400.41 Degree programs.
- 2400.42 Approval of Plan of Study.
- 2400.43 Required courses of graduate study.
- 2400.44 Commencement of graduate study.
- 2400.45 Special consideration: Junior Fellows' Plan of study.
- 2400.46 Special consideration: second master's degrees.
- 2400.47 Summer Institute's relationship to fellowship.
- 2400.48 Fellows' participation in the Summer Institute.
- 2400.49 Contents of the Summer Institute.
- 2400.50 Allowances and Summer Institute costs.
- 2400.51 Summer Institute accreditation.

Subpart F—Fellowship Stipend

- 2400.52 Amount of stipend.
- 2400.53 Duration of stipend.
- 2400.54 Use of stipend.
- 2400.55 Certification for stipend.
- 2400.56 Payment of stipend.

- 2400.57 Termination of stipend.
- 2400.58 Repayment of stipend.

Subpart G—Special Conditions

- 2400.59 Other awards.
- 2400.60 Renewal of award.
- 2400.61 Postponement of award.
- 2400.62 Evidence of master's degree.
- 2400.63 Excluded graduate study.
- 2400.64 Alterations to Plan of Study.
- 2400.65 Teaching obligation.
- 2400.66 Completion of fellowship.

Authority: 20 U.S.C. 4501 *et seq.*

Subpart A—General

§ 2400.1 Purposes.

(a) The purposes of the James Madison Memorial Fellowship Program are to:

(1) Provide incentives for master's degree level graduate study of the history, principles, and development of the United States Constitution by outstanding in-service teachers of American history, American government, social studies, and political science in grades 7-12 and by outstanding college graduates who plan to become teachers of the same subjects; and

(2) Strengthen teaching in the nation's secondary schools about the principles, framing, ratification, and subsequent history of the United States Constitution.

(b) The Foundation may from time to time operate its own programs and undertake other closely-related activities to fulfill these goals.

§ 2400.2 Annual competition.

To achieve its principal purposes, the Foundation holds an annual national competition to select teachers in grades 7-12, college seniors, and college graduates to be James Madison Fellows.

§ 2400.3 Eligibility.

Individuals eligible to apply for and hold James Madison Fellowships are United States citizens, United States nationals, or permanent residents of the Northern Mariana Islands who are:

(a) Teachers of American history, American government, social studies, or political science in grades 7-12 who:

(1) Are teaching full time during the year in which they apply for a fellowship;

(2) Are under contract, or can provide evidence of being under prospective contract, to teach full time as teachers of American history, American government, social studies, or political science in grades 7-12;

(3) Have demonstrated records of willingness to devote themselves to civic responsibilities and to professional and collegial activities within their schools and school districts;