

an expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million or more (adjusted annually for inflation) in any given year. This rule will have no such effect on State, local, or tribal governments, or the private sector.

### Paperwork Reduction Act

This document contains no new collections of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The Office of Management and Budget (OMB) previously has approved the VA application forms governing claims for benefits based on service-connected disability or death. Those forms specify the requirements for submitting information and evidence in support of such claims and would govern any claims for benefits based on the presumptions established by this rule. By establishing presumptions of service connection, this rule will relieve some claimants of the need to submit evidence directly establishing that a cardiovascular disease was incurred in or aggravated by service. The OMB approval numbers for the relevant information collections are 2900–0001 (VA Form 21–526, Veterans' Application for Compensation and/or Pension); 2900–0004 (VA Form 21–534, Application for DIC, Death Compensation, and Accrued Benefits by a Surviving Spouse or Child); and 2900–0005 (VA Form 21–535, Application for DIC by Parent(s)).

### Regulatory Flexibility Act

The Secretary hereby certifies that this regulatory action will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. The reason for this certification is that these amendments will not directly affect any small entities. Only VA beneficiaries and their survivors will be directly affected.

### Catalog of Federal Domestic Assistance

The Catalog of Federal Domestic Assistance program numbers are 64.109, Veterans Compensation for Services-Connected Disability; and 64.110, Veterans Dependency and Indemnity Compensation for Service-Connected Death.

### List of Subjects

#### 38 CFR Part 1

Administrative practice and procedure, Claims.

#### 38 CFR Part 3

Administrative practice and procedure, Claims, Disability benefits, Health care, Veterans, Vietnam.

Approved: May 10, 2005.

**R. James Nicholson**,  
*Secretary of Veterans Affairs.*

■ Accordingly, the interim final rule amending 38 CFR parts 1 and 3 which was published at 69 FR 60083 is adopted as a final rule without change.

[FR Doc. 05–12760 Filed 6–27–05; 8:45 am]

**BILLING CODE 8320–01–P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 64

[Docket No. FEMA–7778]

#### List of Communities Eligible for the Sale of Flood Insurance

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Final rule.

**SUMMARY:** This rule identifies communities participating in the National Flood Insurance Program (NFIP) and suspended from the NFIP. These communities have applied to the program and have agreed to enact certain floodplain management measures. The communities' participation in the program authorizes the sale of flood insurance to owners of property located in the communities listed.

**DATES:** *Effective Dates:* The dates listed under the column headed Effective Date of Eligibility.

**ADDRESSES:** Flood insurance policies for property located in the communities listed can be obtained from any licensed property insurance agent or broker serving the eligible community or from the NFIP at: (800) 638–6620.

**FOR FURTHER INFORMATION CONTACT:** Michael M. Grimm, Mitigation Division, 500 C Street, SW.; Room 412, Washington, DC 20472, (202) 646–2878.

**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 measures aimed at protecting lives and new construction from future flooding.

Since the communities on the attached list have recently entered the NFIP, subsidized flood insurance is now available for property in the community.

In addition, the Federal Emergency Management Agency has identified the special flood hazard areas in some of these communities by publishing a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM). The date of the flood map, if one has been published, is indicated in the fourth column of the table. In the communities listed where a flood map has been published, Section 202 of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4016(a), requires the purchase of flood insurance as a condition of Federal or federally related financial assistance for acquisition or construction of buildings in the special flood hazard areas shown on the map.

The Administrator finds that delayed effective dates would be contrary to the public interest and that notice and public procedure under 5 U.S.C. 553(b) are impracticable and unnecessary.

*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 certifies that this rule will not have a significant economic impact on a substantial number of small entities in accordance with the Regulatory Flexibility Act, 5 U. S. C. 601 *et seq.*, because the rule creates no additional burden, but lists those communities eligible for the sale of flood insurance.

*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]**

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]**

■ 1. The authority citation for Part 64 continues to read as follows:

■ 2. The tables published under the authority of § 64.6 are amended as follows:

State and location	Community No.	Effective date of eligibility	Current effective map date
<b>New Eligibles—Emergency Program</b>			
Nebraska: Maywood, Village of, Frontier County .....	310085	January 4, 2005 .....	December 20, 1974.
Florida: Otter Creek, Town of, Levy County .....	120592	February 8, 2005 .....	August 17, 1979.
North Carolina: Yanceyville, Town of, Caswell County .....	370641	.....do .....	Use Caswell County FHBM dated February 3, 1978.
Kansas: Osage County, Unincorporated Areas .....	200601	February 11, 2005 .....	FHBM dated August 9, 1977.
New Mexico: Curry County, Unincorporated Areas .....	350127	.....do .....	FHBM dated February 7, 1978.
Arkansas: Rosston, City of, Nevada County .....	050475	March 2, 2005 .....	February 18, 1977.
Texas: Devers, City of, Liberty County .....	481514	March 14, 2005 .....	April 24, 1979.
<b>New Eligibles—Regular Program</b>			
Texas: **Fannin County, Unincorporated Areas .....	480807	January 4, 2005 .....	FHBM dated November 8, 1977, converted to FIRM by letter January 4, 2005.
Nebraska: St. Paul, City of, Howard County .....	310119	January 21, 2005 .....	October 19, 2004.
Kansas: **Protection, City of, Comanche County .....	200550	February 1, 2005 .....	FHBM dated July 2, 1976, converted to FIRM by letter February 1, 2005.
**Neosho County, Unincorporated Areas .....	200598	.....do .....	FHBM dated November 1, 1977, converted to FIRM by letter February 1, 2005.
Alaska: Haines Borough, Unincorporated Areas .....	020007	February 2, 2005 .....	August 22, 1975.
Kentucky: Laurel County, Unincorporated Areas .....	210134	February 8, 2005 .....	November 2, 1990.
Ohio: Forest Park, City of, Hamilton County .....	390216	February 9, 2005 .....	Use Hamilton County (CID 390204) FIRM panels 0065D, 0070D, 0086D, and 0088D dated May 14, 2004.
Frazeyburg, Village of, Muskingum County ....	390426	.....do .....	NSFHA.
Wisconsin: Bellevue, Village of, Brown County .....	550627	.....do .....	Use Brown County (CID 550020) panels 0125B and 0150B dated February 19, 1982.
Missouri: Seymour, City of, Webster County .....	290933	February 11, 2005 .....	July 17, 2002.
Rhode Island: Narragansett Indian Tribe, Washington County	445414	February 14, 2005 .....	Use Charlestown, Town of (CID 445395) FIRM panels 0005E and 0010E dated September 30, 1995, and panels 0015C and 0020C dated July 16, 1986.
Georgia: Jeff Davis County, Unincorporated Areas .....	130113	.....do .....	September 6, 1996.
Maine: **Alna, Town of, Lincoln County .....	230083	March 1, 2005 .....	FHBM dated January 3, 1975, converted to FIRM by letter March 1, 2005.
Alabama: Good Hope, Town of, Cullman County .....	010437	.....do .....	December 2, 2004.
Kansas: **Burdett, City of, Pawnee County .....	200396	.....do .....	FHBM dated March 26, 1976, converted to FIRM by letter March 1, 2005.
**Marion County, Unincorporated Areas .....	200593	.....do .....	FHBM dated August 22, 1978, converted to FIRM by letter March 1, 2005.
Ohio: Berkey, Village of, Lucas County .....	390901	March 8, 2005 .....	Use Lucas County (CID 390359) FIRM panels 0035D and 0050D dated October 6, 2000.
Missouri: **Edmundson, City of, St. Louis County. ....	290729	March 10, 2005 .....	Use St. Louis County (CID 290327) FIRM panel 0176H dated August 2, 1995.
Arkansas: Gentry, City of, Benton County .....	050324	March 11, 2005 .....	Use Benton County (CID 050419) FIRM panel 0125E dated September 18, 1991.

State and location	Community No.	Effective date of eligibility	Current effective map date
New Mexico: Elephant Butte, City of, Sierra County .....	350136	March 17, 2005 .....	Use Sierra County (CID 350071) FIRM panel 0485C dated July 16, 1996.
Indiana: McCordsville, Town of, Hancock County .....	180468	March 18, 2005 .....	Use Hancock County (CID 180419) FIRM panel 0025B dated October 15, 1982.
Florida: Polk City, Town of, Polk County .....	120665	March 22, 2005 .....	November 19, 2003.
<b>Reinstatements</b>			
Minnesota: Greenwood, City of, Hennepin County .....	270164	January 31, 2005 .....	September 2, 2004.
Shorewood, City of, Hennepin County .....	270185	.....do .....	Do.
St. Anthony, City of, Hennepin County and Ramsey County.	270716	March 4, 2004 .....	Do.
Alabama: Alexander City, City of, Tallapoosa County .....	010210	March 15, 2005 .....	September 27, 1985.
<b>Withdrawals</b>			
<b>Suspensions</b>			
North Carolina: Orrum, Town of, Robeson County .....	370349	March 11, 1997, Emerg. March 11, 1997, Reg .. February 22, 2005, Susp.	January 19, 2005.
Arkansas: Caldwell, Town of, St. Francis County .....	050185	May 28, 1975, Emerg October 19, 1982, Reg February 23, 2005, Susp.	February 18, 2005.
St. Francis County, Unincorporated Areas .....	050184	September 4, 1979, Emerg. November 1, 1985, Reg. February 23, 2005, Susp.	Do.
<b>Suspension Rescissions</b>			
<b>Region III</b>			
Delaware: Bethany Beach, Town of, Sussex County .....	105083	January 18, 2005 .....	January 6, 2005.
Dewey Beach, Town of, Sussex County .....	100056	.....do .....	Do.
South Bethany, Town of, Sussex County .....	100051	.....do .....	Do.
<b>Region V</b>			
Ohio: Brookville, City of, Montgomery County .....	390407	.....do .....	Do.
Dayton, City of, Montgomery County .....	390409	.....do .....	Do.
Miamisburg, City of, Montgomery County .....	390413	.....do .....	Do.
Trotwood, City of, Montgomery County .....	390417	.....do .....	Do.
<b>Region VII</b>			
Kansas: Manhattan, City of, Riley County and Pottawatomie County.	200300	February 4, 2005 .....	February 4, 2005.
Ogden, City of, Riley County .....	200301	.....do .....	Do.
Riley County, Unincorporated Areas .....	200298	.....do .....	Do.
Nebraska: Battle Creek, City of, Madison County .....	310145	.....do .....	Do.
Madison County, Unincorporated Areas .....	310455	.....do .....	Do.
<b>Region IV</b>			
Florida: Islamorada, Village of, Monroe County .....	120424	February 18, 2005 .....	February 18, 2005.
Marathon, City of, Monroe County .....	120681	.....do .....	Do.
North Carolina: Lumberton, City of, Robeson County .....	370203	.....do .....	January 19, 2005.
<b>Region VI</b>			
Arkansas: Forrest City, City of, St. Francis County .....	050187	.....do .....	February 18, 2005.
Hughes, City of, St. Francis County .....	050188	.....do .....	Do.

State and location	Community No.	Effective date of eligibility	Current effective map date
Palestine, City of, St. Francis County .....	050359	.....do .....	Do.
Wheatley, City of, St. Francis County .....	050374	.....do .....	Do.
<b>Region VII</b>			
Missouri:			
Callaway County, Unincorporated Areas .....	290049	.....do .....	Do.
Fulton, City of, Callaway County .....	290051	.....do .....	Do.
Jefferson, City of, Callaway County and Cole County.	290108	.....do .....	Do.
<b>Region IV</b>			
Kentucky:			
Magoffin County, Unincorporated Areas .....	210158	March 16, 2005 ..... Suspension Notice Re- scinded.	March 16, 2005.
Salyersville, City of, Magoffin County .....	210159	.....do .....	Do.

\*-do- and Do. = ditto

\*\*Designates communities converted from Emergency Phase of participation to the Regular Phase of participation.

Code for reading fourth and fifth columns: Emerg.—Emergency; Reg.—Regular; Rein.—Reinstatement; Susp.—Suspension; With.—Withdrawn; NSFHA—Non Special Flood Hazard Area.

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

Dated: June 21, 2005.

**David I. Maurstad,**

*Acting Director, Mitigation Division,  
Emergency Preparedness and Response  
Directorate.*

[FR Doc. 05-12679 Filed 6-27-05; 8:45 am]

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### 44 CFR Part 65

[Docket No. FEMA-P-7644]

#### Changes in Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Interim rule.

**SUMMARY:** This interim rule lists communities where modification of the Base (1% annual-chance) Flood Elevations (BFEs) is appropriate because of new scientific or technical data. New flood insurance premium rates will be calculated from the modified BFEs for new buildings and their contents.

**DATES:** These modified BFEs are currently in effect on the dates listed in the table below and revise the Flood Insurance Rate Map(s) in effect prior to this determination for the listed communities.

From the date of the second publication of these changes in a newspaper of local circulation, any person has ninety (90) days in which to

request through the community that the Mitigation Division Director of the Emergency Preparedness and Response Directorate reconsider the changes. The modified BFEs may be changed during the 90-day period.

**ADDRESSES:** The modified 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:** Doug Bellomo, P.E., Hazard Identification Section, Emergency Preparedness and Response Directorate, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472, (202) 646-2903.

**SUPPLEMENTARY INFORMATION:** The modified BFEs are not listed for each community in this interim rule. However, the address of the Chief Executive Officer of the community where the modified BFE determinations are available for inspection is provided.

Any request for reconsideration must be based on knowledge of changed conditions or new scientific or technical data.

The modifications are made pursuant to Section 201 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are in accordance with the National Flood Insurance Act of 1968, 42 U.S.C. 4001 *et seq.*, and with 44 CFR Part 65.

For rating purposes, the currently effective community number is shown and must be used for all new policies and renewals.

The modified BFEs are the basis for the floodplain management measures that the community is required to either adopt or to show evidence of being already in effect in order to qualify or to remain qualified for participation in

the National Flood Insurance Program (NFIP).

These modified BFEs, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities.

The changes in BFEs are in accordance with 44 CFR 65.4.

*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 Mitigation Division Director of the Emergency Preparedness and Response Directorate certifies that this rule is exempt from the requirements of the Regulatory Flexibility Act because modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4105, and are required to maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

*Regulatory Classification.* This interim 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.