

procedures; and related management systems practices) that are developed or adopted by voluntary consensus standards bodies.

This rule does not use technical standards. Therefore, we did not consider the use of voluntary consensus standards.

### Environment

We have analyzed this proposed rule under Commandant Instruction M16475.ID, which guides the Coast Guard in complying with the National Environmental Policy Act of 1969 (NEPA)(42 U.S.C. 4321–4370f), and have made a preliminary determination that there are no factors in this case that would limit the use of a categorical exclusion under section 2.B.2 of the Instruction. Therefore, we believe that this rule should be categorically excluded, under figure 2–1, paragraph (34)(g), of the Instruction, from further environmental documentation. This event establishes a safety zone therefore paragraph (34)(g) of the Instruction applies.

A preliminary “Environmental Analysis Check List” is available in the docket where indicated under **ADDRESSES**. Comments on this section will be considered before we make the final decision on whether the rule should be categorically excluded from further environmental review.

### List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

■ For the reasons discussed in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

### PART 165—REGULATED NAVIGATION AREAS AND LIMITED ACCESS AREAS

■ 1. The authority citation for part 165 continues to read as follows:

**Authority:** 33 U.S.C. 1226, 1231; 46 U.S.C. Chapter 701; 50 U.S.C. 191, 195; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; Pub. L. 107–295, 116 Stat. 2064; Department of Homeland Security Delegation No. 0170.1.

■ 2. Add § 165.T09.135 to read as follows: § 165.T09.135 Safety Zone; Chicago New Year’s Celebration, Lake Michigan, Chicago, IL.

(a) *Location*. The following area is designated a safety zone: All waters of Lake Michigan bounded by the arc of a circle with a 700-foot radius with its center in the approximate position 41°52’41” N, 87°36’37” W (inside the breakwall of Monroe Harbor). These coordinates are based upon the North American Datum 1983 (NAD 1983).

(b) *Effective Time and Date*. This regulation is effective from 11:59 p.m. (local time) December 31, 2005 until 12:15 a.m. (local time) January 1, 2006. Captain of the Port Lake Michigan or the on scene Patrol Commander may terminate this event at anytime.

(c) *Regulations*. In accordance with the general regulations in 33 CFR 165.23, entry into this zone is prohibited unless authorized by the Coast Guard Captain of the Port Lake Michigan, or the designated on-scene representative.

(1) This safety zone is closed to all marine traffic, except as may be permitted by the Captain of the Port or his duly appointed representative.

(2) The “duly appointed representative” of the Captain of the Port is any Coast Guard commissioned, warrant or petty officer who has been designated by the Captain of the Port to act on his behalf. The representative of the Captain of the Port will be aboard either a Coast Guard or Coast Guard Auxiliary vessel.

(3) Vessel operators desiring to enter or operate within the Safety Zone shall contact the Captain of the Port or his representative to obtain permission to do so. Vessel operators given permission to enter or operate in the Safety Zone shall comply with all directions given to them by the Captain of the Port or his representative.

Dated: December 7, 2005.

**S. P. LaRochelle,**

*Captain, U.S. Coast Guard, Captain of the Port, Lake Michigan.*

[FR Doc. 05–24068 Filed 12–14–05; 8:45 am]

**BILLING CODE 4910–15–P**

### DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

### 44 CFR Part 64

[Docket No. FEMA–7905]

### Suspension of Community Eligibility

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

**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 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:** The effective date of each community’s scheduled 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:** 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 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 *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, 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.

**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 is revised 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]**

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

State/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
<b>Region I</b>				
Connecticut: South Windsor, Town of, Hartford County.	090036	July 25, 1974, Emerg; May 1, 1980, Reg; Dec. 16, 2005, Susp.	Dec. 16, 2005 ...	Dec. 16, 2005.
<b>Region IV</b>				
North Carolina: Currituck County, Unincorporated Areas	370078	Mar. 4, 1974, Emerg; Nov. 1, 1984, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
Tennessee: Benton County, Unincorporated Areas.	470218	Oct. 4, 1989, Emerg; July 2, 1991, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
Camden, City of, Benton County .....	470010	Apr. 2, 1975, Emerg; July 17, 1986, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
<b>Region VI</b>				
New Mexico: Jal, City of, Lea County .....	350030	Sept. 28, 1977, Emerg; Aug. 19, 1985, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
<b>Region VIII</b>				
Utah:				
North Ogden, City of, Weber County ....	490214	Oct. 2, 1975, Emerg; Jan. 19, 1983, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
Ogden, City of, Weber County .....	490189	Dec. 27, 1974, Emerg; Jan. 19, 1983, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
Plain City, City of, Weber County .....	490217	Feb. 17, 1978, Emerg; May 19, 1981, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
Riverdale, City of, Weber County .....	490190	Oct. 4, 1974, Emerg; Feb. 3, 1982, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
Roy, City of, Weber County .....	490223	Jan. 16, 1976, Emerg; Oct. 24, 1978, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
South Ogden, City of, Weber County ...	490191	Aug. 2, 1974, Emerg; Mar. 1, 1982, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
Uintah, City of, Weber County .....	490192	Apr. 30, 1974, Emerg; May 19, 1981, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
Weber County, Unincorporated Areas ..	490187	Mar. 25, 1975, Emerg; July 19, 1982, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.
West Haven, City of, Weber County .....	490249	Apr. 6, 1999, Emerg; Dec. 16, 2005, Reg; Dec. 16, 2005, Susp.	.....do* .....	Do.

\*do = Ditto.

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

Dated: Dec. 9, 2005.

**Michael K. Buckley,**

*Deputy Director, Mitigation Division, Federal Emergency Management Agency, Department of Homeland Security.*

[FR Doc. 05-24062 Filed 12-14-05; 8:45 am]

BILLING CODE 9110-12-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Part 1852

RIN: 2700-AD20

#### Property Administration and Reporting for Interagency Acquisitions

**AGENCY:** National Aeronautics and Space Administration.

**ACTION:** Final rule.

**SUMMARY:** This is a final rule to amend the NASA FAR Supplement (NFS) to revise clause 1852.217-70 Property Administration and Reporting to change the name of "NASA-Defense Purchase Request" to "NASA-Interagency Purchase Request" and to replace the term "Military Department" to "servicing agency" in order to permit the use of this clause in interagency acquisitions with military departments and civilian agencies.

**DATES:** *Effective Date:* December 15, 2005.

**FOR FURTHER INFORMATION CONTACT:** Marilyn J. Seppi, NASA, Office of Procurement, Contract Management Division; (703) 553-2551; e-mail: [Marilyn.Seppi-1@nasa.gov](mailto:Marilyn.Seppi-1@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

This is a final rule to amend the NASA FAR Supplement (NFS) to revise clause 1852.217-70 Property Administration and Reporting to change the name of "NASA-Defense Purchase Request" to "NASA-Interagency Purchase Request" and to change the term "Military Department" to "servicing agency" in order to permit the use of this clause in interagency acquisitions with military departments and civilian agencies. This change is necessary to instruct NASA Centers to use the NASA-Interagency Purchase Request (NF-523) in all interagency acquisitions with civilian agencies and military departments. Currently, the NFS only provides the use of this clause for interagency acquisitions with Military Departments and does not address whether this clause should be utilized in interagency acquisitions with Civilian Agencies. This change is necessary to provide guidance when

contracting for supplies and services with civilian agencies.

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.

#### B. Regulatory Flexibility Act

This final rule is not expected to have a significant economic impact on a substantial number of small entities with the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601, et seq., because this action does not have any affect on the private business sector it only affects interagency transactions with other government agencies, military departments, and civilian agencies.

#### C. Paperwork Reduction Act

This final rule does not contain information collection requirements subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520) does not apply. All comments regarding information collection should be sent to: Desk Officer for NASA; Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10236, New Executive Office Building; Washington, DC 20503.

#### List of Subjects in 48 CFR Part 1852

Government Procurement.

**Tom Luedtke,**

*Assistant Administrator for Procurement.*

■ Accordingly, 48 CFR part 1852 is amended as follows:

#### PART 1852—SOLICITATION PROVISIONS AND CONTRACT CLAUSES

■ 1. The authority citation for 48 CFR part 1852 continues to read as follows:

**Authority:** 42 U.S.C. 2473(c)(1)

■ 2. Revise section 1852.217-70 to read as follows:

##### 1852.217-70 Property Administration and Reporting.

As prescribed in 1817.7004-7 and 1817.7005-4, insert the following clause:

##### Property Administration and Reporting (DEC 2005)

All property acquired for, and reimbursed by, NASA or transferred by NASA for use under this NASA-Interagency Purchase Request shall be controlled and accounted for in accordance with the servicing agency's normal procedures. All excess items, however, costing \$500 or more and in

condition Code 7 or better (GSA Condition Codes) shall be reported to the NASA originating office for possible reutilization before disposition.

(End of clause)

[FR Doc. 05-23993 Filed 12-14-05; 8:45 am]

BILLING CODE 7510-01-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Part 1852

RIN 2700-AD03

#### NASA Research Announcements—Small Business Subcontracting Plans and Publication Acknowledgement and Disclaimers

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** This is a final rule amending the NASA FAR Supplement (NFS) to require for NASA Research Announcements: Submission of a small business subcontracting plan with any proposal having subcontracting possibilities that may result in the award of a contract whose value exceeds \$5,000,000; and acknowledgement of NASA sponsorship and disclaimer of agency endorsement of results.

**DATES:** *Effective Date:* December 15, 2005.

**FOR FURTHER INFORMATION CONTACT:** Patrick Flynn, NASA Headquarters, Office of Procurement, Contract Management Division, (202) 358-0460, e-mail: [patrick.flynn@nasa.gov](mailto:patrick.flynn@nasa.gov).

#### SUPPLEMENTARY INFORMATION:

##### A. Background

On September 27, 2004, NASA published a proposed rule (69 FR 57664-57665) to solicit comments on its proposal to amend subcontracting plan and acknowledgement and disclaimer requirements for NASA Research Announcements (NRAs) and resulting contracts. During the 60-day public-comment period, NASA received one response to the proposed rule. The Aerospace Industries Association (AIA) expressed concern that the proposed rule would make preparation and response to NRAs more costly and more cumbersome to prepare, by requiring submission of a small business subcontracting plan before evaluation rather than after selection, as is currently the rule. AIA's comment and our analysis follow. No comments were received with respect to the second part of the proposal, adding acknowledgement of NASA sponsorship