

delayed effective date, so as to allow for the continuation of the Arrangement.

List of Subjects in 44 CFR Part 62

Flood insurance.

■ Accordingly, FEMA amends 44 CFR part 62 as follows:

PART 62—SALE OF INSURANCE AND ADJUSTMENT OF CLAIMS

■ 1. The authority citation for part 62 continues to read as follows:

Authority: 42 U.S.C. 4001 *et seq.*; Reorganization Plan No. 3 of 1978, 43 FR 41943, 3 CFR, 1978 Comp., p. 329; E.O. 12127 of Mar. 31, 1979, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

■ 2. In Appendix A to part 62, revise the first sentence of Article V, Section A to read as follows:

Appendix A to Part 62—Federal Emergency Management Agency, Federal Insurance Administration, Financial Assistance/Subsidy Arrangement

Article V * * *

A. This Arrangement shall be effective for the period October 1, 2002 through September 30, 2004. * * *

* * * * *

Michael D. Brown,

Under Secretary, Emergency Preparedness and Response, Department of Homeland Security.

[FR Doc. 04-9827 Filed 4-29-04; 8:45 am]

BILLING CODE 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket No. FEMA-7829]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, 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 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management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the **Federal Register**.

DATES: Effective Dates: 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: Mike 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 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 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 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 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 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.

PART 64—[AMENDED]

1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

■ Accordingly, 44 CFR part 64 is amended as follows:

■ 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,

§ 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 special flood hazard areas |
|--|---------------|---|----------------------------|---|
| Region V | | | | |
| Illinois: Auburn, City of, Sangamon County. | 170944 | May 13, 1980, Emerg.; August 19, 1985, Reg.; May 3, 2004; Susp. | 5/3/2004 | 5/3/2004 |
| Chatham, Village of, Sangamon County. | 170601 | July 25, 1975, Emerg.; September 2, 1981, Reg.; May 3, 2004, Susp. |do* | Do. |
| Divernon, Village of, Sangamon County. | 170949 | October 25, 1983, Emerg.; May 15, 1984, Reg.; May 3, 2004, Susp. |do | Do. |
| Jerome, Village of, Sangamon County. | 171004 | January 16, 1980, Emerg.; November 16, 1983, Reg.; May 3, 2004, Susp. |do | Do. |
| Leland Grove, City of, Sangamon County. | 170925 | March 24, 1977, Emerg.; December 16, 1982, Reg.; May 3, 2004, Susp. |do | Do. |
| Loami, Village of, Sangamon County. | 170795 | July 29, 1975, Emerg.; September 4, 1985, Reg.; May 3, 2004, Susp. |do | Do. |
| Pawnee, Village of, Sangamon County. | 170602 | July 10, 1975, Emerg.; May 3, 1982, Reg.; May 3, 2004, Susp. |do | Do. |
| Pleasant Plains, Village of, Sangamon County. | 170798 | February 4, 1976, Emerg.; September 2, 1981, Reg.; May 3, 2004, Susp. |do | Do. |
| Riverton, Village of, Sangamon County. | 170603 | November 20, 1981, Emerg.; December 1, 1981, Reg.; May 3, 2004, Susp. |do | Do. |
| Rochester, Village of, Sangamon County. | 170840 | March 2, 1976, Emerg.; June 15, 1982, Reg.; May 3, 2004, Susp. |do | Do. |
| Sangamon County, Unincorporated Areas. | 170912 | July 29, 1975, Emerg.; January 6, 1983, Reg. May 3, 2004, Susp. |do | Do. |
| Sherman, Village of, Sangamon County. | 170969 | April 28, 1983, Emerg.; November 16, 1983, Reg.; May 3, 2004, Susp. |do | Do. |
| Springfield, City of, Sangamon County. | 170604 | November 28, 1975, Emerg.; February 2, 1982, Reg.; May 3, 2004, Susp. |do | Do. |
| Thayer, Village of, Sangamon County. | 170804 | November 25, 1975, Emerg.; May 3, 1982, Reg.; May 3, 2004, Susp. |do | Do. |
| Williamsville, Village of, Sangamon County. | 171041 | September 14, 1995, Emerg.; May 3, 2004, Reg.; May 3, 2004; Susp. |do | Do. |
| Region II | | | | |
| New Jersey: Greenwich, Township of, Warren County. | 340483 | May 19, 1975, Emerg.; August 2, 1982, Reg.; May 17, 2004, Susp. | 5/17/2004 | 5/17/2004 |
| New York: Schuyler Falls, Town of, Clinton County. | 360172 | January 21, 1977, Emerg.; September 24, 1984, Reg.; May 17, 2004, Susp. |do | Do. |
| Victor, Village of, Ontario County. | 361648 | March 12, 1996, Emerg.; May 17, 2004, Reg.; May 17, 2004, Susp. |do | Do. |
| Woodstock, Town of, Ulster County. | 360868 | May 28, 1975, Emerg.; September 27, 1991, Reg.; May 17, 2004, Susp. |do | Do. |
| Region V | | | | |
| Ohio: Addyston, Village of, Hamilton County. | 390205 | May 28, 1976, Emerg.; August 15, 1983, Reg.; May 17, 2004, Susp. |do | Do. |
| Amberley, Village of, Hamilton County. | 390206 | November 16, 1973, Emerg.; September 30, 1980, Reg.; May 17, 2004, Susp. |do | Do. |
| Arlington Heights, Village of, Hamilton County. | 390207 | February 23, 1990, Reg.; May 17, 2004, Susp |do | Do. |
| Blue Ash, City of, Hamilton County. | 390208 | November 7, 1973, Emerg.; August 1, 1980, Reg.; May 17, 2004, Susp. |do | Do. |
| Cincinnati, City of, Hamilton County. | 390210 | June 27, 1973, Emerg.; October 15, 1982, Reg.; May 17, 2004, Susp. |do | Do. |
| Cleves, Village of, Hamilton County. | 390211 | August 19, 1975, Emerg.; February 1, 1984, Reg.; May 17, 2004, 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 special flood hazard areas |
|--|---------------|---|----------------------------|---|
| Elmwood Place, Village of, Hamilton County. | 390213 | February 28, 1975, Emerg.; December 18, 1984, Reg.; May 17, 2004, Susp. |do | Do. |
| Evendale, Village of, Hamilton County. | 390214 | June 27, 1977, Emerg.; September 29, 1986, Reg.; May 17, 2004, Susp. |do | Do. |
| Fairfax, Village of, Hamilton County. | 390215 | September 12, 1974, Emerg.; November 15, 1979, Reg.; May 17, 2004, Susp. |do | Do. |
| Glendale, Village of, Hamilton County. | 390217 | October 22, 2003, Emerg.; May 17, 2004, Reg.; May 17, 2004, Susp. |do | Do. |
| Greenhills, Village of, Hamilton County. | 390219 | May 6, 1975, Emerg.; September 1, 1993, Reg.; May 17, 2004, Susp. |do | Do. |
| Hamilton County, Unincorporated Areas. | 390204 | July 2, 1973, Emerg.; June 1, 1982, Reg.; May 17, 2004, Susp. |do | Do. |
| Harrison, City of, Hamilton County. | 390220 | July 7, 1975, Emerg.; April 3, 1985, Reg.; May 17, 2004, Susp. |do | Do. |
| Indian Hill, Village of, Hamilton County. | 390221 | July 18, 1975, Emerg.; May 1, 1985, Reg.; May 17, 2004, Susp. |do | Do. |
| Lockland, Village of, Hamilton County. | 390223 | September 6, 1978, Emerg.; September 4, 1986, Reg.; May 17, 2004, Susp. |do | Do. |
| Loveland, City of, Hamilton County. | 390068 | November 15, 1974, Emerg.; September 1, 1978, Reg.; May 17, 2004, Susp. |do | Do. |
| Madeira, City of, Hamilton County. | 390225 | September 19, 1974, Emerg.; November 15, 1979, Reg.; May 17, 2004, Susp. |do | Do. |
| Montgomery, City of, Hamilton County. | 390228 | October 24, 1975, Emerg.; June 25, 1976, Reg.; May 17, 2004, Susp. |do | Do. |
| Mount Healthy, City of, Hamilton County. | 390229 | November 28, 1975, Emerg.; December 15, 1978, Reg.; May 17, 2004, Susp. |do | Do. |
| Newtown, Village of, Hamilton County. | 390230 | August 27, 1975, Emerg.; December 15, 1983, Reg.; May 17, 2004, Susp. |do | Do. |
| North Bend, Village of, Hamilton County. | 390231 | March 22, 1976, Emerg.; October 18, 1983, Reg.; May 17, 2004, Susp. |do | Do. |
| North College Hill, City of, Hamilton County. | 390232 | May 6, 1975, Emerg.; September 29, 1986, Reg.; May 17, 2004, Susp. |do | Do. |
| Reading, City of, Hamilton County. | 390234 | August 27, 1975, Emerg.; December 18, 1986, Reg.; May 17, 2004, Susp. |do | Do. |
| Sharonville, City of, Hamilton County. | 390236 | May 20, 1975, Emerg.; January 2, 1987, Reg.; May 17, 2004, Susp. |do | Do. |
| Springdale, City of, Hamilton County. | 390877 | October 1, 1980, Emerg.; December 5, 1990, Reg.; May 17, 2004, Susp. |do | Do. |
| St. Bernard, City of, Hamilton County. | 390235 | May 13, 1975, Emerg.; September 19, 1984, Reg.; May 17, 2004, Susp. |do | Do. |
| Terrace Park, Village of, Hamilton County. | 390633 | November 14, 1975, Emerg.; January 5, 1984, Reg.; May 17, 2004, Susp. |do | Do. |
| Woodlawn, Village of, Hamilton County. | 390239 | September 10, 1975, Emerg.; September 4, 1986, Reg.; May 17, 2004, Susp. |do | Do. |
| Wyoming, City of, Hamilton County. | 390240 | May 19, 1975, Emerg.; March 2, 1979, Reg.; May 17, 2004, Susp. |do | Do. |
| Region VIII | | | | |
| North Dakota: Fort Yates, City of, Sioux County. | 380111 | February 24, 1975, Emerg.; November 5, 1985, Reg.; May 17, 2004, Susp. |do | Do. |
| Sioux County, Unincorporated Areas. | 380321 | March 21, 1978, Emerg.; January 16, 1987, Reg.; May 17, 2004, Susp. |do | Do. |
| Solen, City of, Sioux County. | 380114 | March 14, 1978, Emerg.; June 4, 1987, Reg.; May 17, 2004, Susp. |do | Do. |
| Standing Rock Indian Reservation, Sioux County. | 380697 | March 26, 1997, Emerg.; May 4, 1998, Reg.; May 17, 2004, Susp. |do | Do. |
| South Dakota: Blunt, City of, Hughes County. | 460039 | April 29, 1975, Emerg.; May 15, 1980, Reg.; May 17, 2004, 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 special flood hazard areas |
|--|---------------|---|----------------------------|---|
| Corson County, Unincorporated Areas. | 460237 | February 12, 1997, Emerg.; June 8, 1998, Reg.; May 17, 2004, Susp. |do | Do. |
| Fort Pierre, City of, Stanley County. | 465419 | May 4, 1972, Emerg.; January 12, 1973, Reg.; May 17, 2004, Susp. |do | Do. |
| Hughes County, Unincorporated Areas. | 460271 | February 24, 1997, Emerg.; July 1, 1998, Reg.; May 17, 2004, Susp. |do | Do. |
| Pierre, City of, Hughes County. | 460040 | April 16, 1975, Emerg.; June 4, 1980, Reg.; May 17, 2004, Susp. |do | Do. |
| Standing Rock Indian Reservation, Corson County. | 461219 | March 26, 1997, Emerg.; May 4, 1998, Reg.; May 17, 2004, Susp. |do | Do. |
| Stanley County, Unincorporated Areas. | 460287 | February 12, 1997, Emerg.; June 8, 1998, Reg.; May 17, 2004, Susp. |do | Do. |

* do =Ditto
Code for reading third column: Emerg.-Emergency; Reg.-Regular; Susp.-Suspension.

Dated: April 22, 2004.

Anthony S. Lowe,

Mitigation Division Director, Emergency Preparedness and Response Directorate.

[FR Doc. 04-9828 Filed 4-29-04; 8:45 am]

BILLING CODE 9110-12-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 101

[IB Docket No. 98-172, FCC 02-317]

Redesignation of the 17.7-19.7 GHz Frequency Band, Blanket Licensing of Satellite Earth Stations in the 17.7-20.2 GHz and 27.5-30.0 GHz Frequency Bands, and the Allocation of Additional Spectrum in the 17.3-17.8 GHz and 24.75-25.25 GHz Frequency Bands for Broadcast Satellite-Service Use

AGENCY: Federal Communications Commission.

ACTION: Correcting amendments.

SUMMARY: This document contains corrections to the final rules which were published in the **Federal Register** on April 8, 2003, 68 FR 16962. The rules are related to the 18 GHz band plan, blanket licensing rules, and relocation. **DATES:** Effective April 30, 2004.

FOR FURTHER INFORMATION CONTACT: Peggy Reitzel, Policy Division, International Bureau, (202) 418-1499.

SUPPLEMENTARY INFORMATION:

Background

The Commission adopted a Second Order on Reconsideration amending several of the Commission's rules regarding the 18 GHz band plan, blanket

licensing rules, and relocation rules adopted in an earlier Report and Order, 65 FR 54144, September 7, 2000. On April 8, 2003, the **Federal Register** published a summary of the final rule in the above captioned proceeding.

Need for Correction

As published, the final rules contain an error in § 101.147. Instruction 23 of the rules amended § 101.147 by revising paragraph (r), but the revised text of paragraph (r) was inadvertently set out as the whole section without any subsections. This error resulted in the removal of paragraphs (r)(1) through (r)(10).

List of Subjects in 47 CFR Part 101

Communications equipment, Radio, Reporting and recordkeeping requirements.

■ Accordingly, 47 CFR part 101 is corrected by making the following correcting amendments:

PART 101—FIXED MICROWAVE SERVICES

■ 1. The authority citation for part 101 continues to read as follows:

Authority: 47 U.S.C. 154 and 303.

■ 2. Revise paragraph (r) of § 101.147 to read as follows:

§ 101.147 Frequency assignments.

* * * * *

(r) 17,700 to 19,700 and 24,250 to 25,250 MHz: Operation of stations using frequencies in these bands is permitted to the extent specified in this paragraph. Until November 19, 2012, stations operating in the band 18.3-18.58 GHz that were licensed or had applications

pending before the Commission as of November 19, 2002 shall operate on a shared co-primary basis with other services under parts 21, 25, and 74 of this chapter. Until October 31, 2011, operations in the band 19.26-19.3 GHz and low power systems operating pursuant to § 101.147(r)(10) shall operate on a co-primary basis. Until June 8, 2010, stations operating in the band 18.58-18.8 GHz that were licensed or had applications pending before the Commission as of June 8, 2000 may continue those operations on a shared co-primary basis with other services under parts 21, 25, and 74 of this chapter. Until June 8, 2010, stations operating in the band 18.8-19.3 GHz that were licensed or had applications pending before the Commission as of September 18, 1998 may continue those operations on a shared co-primary basis with other services under parts 21, 25, and 74 of this chapter. After November 19, 2012, stations operating in the band 18.3-18.58 GHz are not entitled to protection from fixed-satellite service operations and must not cause unacceptable interference to fixed-satellite service station operations. After June 8, 2010, operations in the 18.58-19.30 GHz band are not entitled to protection from fixed-satellite service operations and must not cause unacceptable interference to fixed-satellite service station operations. After November 19, 2002, no new applications for part 101 licenses will be accepted in the 18.3-18.58 GHz band. After June 8, 2000, no new applications for part 101 licenses will be accepted in the 18.58-19.3 GHz band. Licensees may use either a two-way link or one frequency of a frequency pair for a one-