

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground modified	Communities affected
<b>Ascension Parish, Louisiana and Incorporated Areas</b> <b>Docket No.: FEMA-B-7462</b>			
Bayou Boyle .....	At the confluence of Bayou Conway and Bayou Boyle .....	+7	Ascension County (Unincorporated Areas), City of Gonzales.
Bayou Conway .....	At the intersection of Bayou Boyle and S. St. Landry Avenue ..	+10	Ascension County (Unincorporated Areas), City of Gonzales
	At the confluence of Panama Canal and Bayou Conway .....	+7	
Bayou Francois .....	At the divergence of Panama Canal and Bayou Conway .....	+9	Ascension County (Unincorporated Areas), City of Gonzales.
	At the confluence of New River and Bayou Francois .....	+8	
McCall Bayou .....	At the intersection of State Route 431 and Bayou Francois .....	+8	Ascension County (Unincorporated Areas), City of Donaldsonville.
	At the confluence of McCall Bayou and Smokebend Canal .....	+19	
Middle Branch of Grand Goudine Bayou.	At the intersection of Texas and Pacific Railroad and McCall Bayou.	+19	Ascension County (Unincorporated Areas).
	At the intersection of Highway 10 and Middle Branch of Grand Goudine Bayou.	+15	
Northern Branch of Grand Goudine Bayou.	Approximately 200 feet downstream the intersection of Highway 10 and Middle Branch of Grand Goudine Bayou.	+15	Ascension County (Unincorporated Areas).
	At the confluence of New River and Northern Branch of Grand Goudine Bayou.	+11	
Saveiro Canal .....	Northern Branch of Grand Goudine Bayou .....	+18	Ascension County (Unincorporated Areas).
	At the confluence of New River Canal and Saveiro Canal .....	+7	
Smith Bayou Diversion .....	At the confluence of Babin Canal and Saveiro Canal .....	+8	Ascension County (Unincorporated Areas).
	At the confluence of Bayou Francois and Smith Bayou Diversion.	+11	
Southern Branch of Grand Goudine.	At the confluence of Bayou Francois a and Smith Bayou Diversion.	+11	Ascension County (Unincorporated Areas).
	At Intersection of Highway 10 and Southern Branch of Goudine Bayou.	+15	
	At Intersection of Southern Branch of Grand Goudine Bayou and State Highway 73.	+15	

# Depth in feet above ground.  
 \* National Geodetic Vertical Datum.  
 + National American Vertical Datum.

**ADDRESSES**

**City of Donaldsonville**

Maps are available for inspection at City of Donaldsonville, 609 Railroad, Donaldsonville, LA 70346.

**City of Gonzales**

Maps are available for inspection at City Hall, 120 South Irma Blvd., Gonzales, LA 70737.

**Ascension Parish (Unincorporated Areas)**

Maps are available for inspection at President's Office, 208 East Railroad Avenue, Gonzalez, LA 70737.

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

Dated: March 1, 2007.

**David I. Maurstad,**

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

[FR Doc. E7-4152 Filed 3-7-07; 8:45 am]

**BILLING CODE 9110-12-P**

**DEPARTMENT OF HOMELAND SECURITY**

**Federal Emergency Management Agency**

**44 CFR Part 67**

**Final Flood Elevation Determinations**

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Final rule.

**SUMMARY:** Base (1% annual chance) Flood Elevations (BFEs) and modified BFEs are made final for the communities listed below. The BFEs and modified BFEs are the basis for the floodplain management measures that each community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the

National Flood Insurance Program (NFIP).

**DATES:** The date of issuance of the Flood Insurance Rate Map (FIRM) showing BFEs and modified BFEs for each community. This date may be obtained by contacting the office where the maps are available for inspection as indicated on the table below.

**ADDRESSES:** The final 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:** William R. Blanton, Jr., Engineering Management Section, Mitigation Division, Federal Emergency Management Agency, 500 C Street SW., Washington, DC 20472, (202) 646-3151.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency (FEMA) makes the final determinations listed below for the modified BFEs for each community listed. These modified elevations have been published in newspapers of local circulation and ninety (90) days have elapsed since that publication. The Mitigation Division

Director of FEMA has resolved any appeals resulting from this notification.

This final rule is issued in accordance with section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR part 67. FEMA has developed criteria for floodplain management in floodprone areas in accordance with 44 CFR part 60.

Interested lessees and owners of real property are encouraged to review the proof Flood Insurance Study and FIRM available at the address cited below for each community. The BFEs and modified BFEs are made final in the communities listed below. Elevations at selected locations in each community are shown.

*National Environmental Policy Act.* This final rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Consideration. An environmental impact assessment has not been prepared.

*Regulatory Flexibility Act.* As flood elevation determinations are not within the scope of the Regulatory Flexibility Act, 5 U.S.C. 601-612, a regulatory flexibility analysis is not required.

*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 final rule involves no policies that have federalism implications under Executive Order 13132.

*Executive Order 12988, Civil Justice Reform.* This final rule meets the applicable standards of Executive Order 12988.

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

■ Accordingly, 44 CFR part 67 is amended as follows:

**PART 67—[AMENDED]**

■ 1. The authority citation for part 67 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.

**§ 67.11 [Amended]**

■ 2. The tables published under the authority of § 67.11 are amended as follows:

State	City/town/county	Source of flooding	Location	# Depth in feet above ground. * Elevation in feet (NGVD) + Elevation in feet (NAVD) Modified
<b>City of Durham, North Carolina</b> <b>Docket No.: FEMA-D-7674</b>				
North Carolina .....	City of Durham .....	Third Fork Creek Tributary	At the confluence with Third Fork Creek Tributary C.	+328
			Approximately 260 feet upstream of Sherbon Drive.	+273
	City of Durham .....	Third Fork Creek Tributary A.	Approximately 1,700 feet upstream of the confluence with Third Fork Creek.	+252
			Approximately 200 feet upstream of Southpoint Crossing Drive.	+291
	City of Durham .....	Third Fork Creek Tributary C.	Approximately 50 feet downstream of Hope Valley Road.	+258
			Approximately 250 feet upstream of Princeton Avenue.	+319
	City of Durham .....	Third Fork Creek Tributary D.	Approximately 1,100 feet upstream of the confluence with Third Fork Creek.	+256
			Approximately 200 feet upstream of Morningside Drive.	+288
	City of Durham .....	Third Fork Creek Tributary E.	Approximately 300 feet upstream of the confluence with Third Fork Creek.	+290
			Approximately 250 feet upstream of Ward Street.	+332

# Depth in feet above ground.  
\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.

**ADDRESSES**

**City of Durham**

Maps are available for inspection at the Durham City Hall, Public Works Department, Stormwater Services Division, 101 City Hall Plaza, Durham, North Carolina.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
<b>Johnson County, Indiana and Incorporated Areas Docket No.: FEMA-B-7454</b>			
Brewer Ditch .....	At confluence with Youngs Creek .....	+749	Johnson County (Unincorporated Areas), City of Franklin, Town of Whiteland.
	Approximately 1,600 feet downstream of U.S. Highway 31 .....	+782	
	Approximately 1,600 feet downstream of U.S. Highway 31 .....	+782	Town of Whiteland.
	Approximately at County Road 125 .....	+802	
Canary Ditch .....	At confluence with Youngs Creek .....	+744	Johnson County (Unincorporated Areas), City of Franklin.
	Approximately 1,300 feet upstream of Earlywood Drive .....	+767	
	Approximately 1,300 feet upstream of Earlywood Drive .....	+767	Johnson County (Unincorporated Areas).
	Approximately 1,900 feet upstream of County Road East 400 North.	+784	
East Grassy Creek .....	At confluence with Grassy Creek .....	+781	Johnson County (Unincorporated Areas).
	Approximately at Whiteland Road .....	+782	
	Approximately at Whiteland Road .....	+785	Johnson County (Unincorporated Areas), Town of New Whiteland, Town of Whiteland.
	Approximately at Tracy Road .....	+810	
	Approximately at Tracy Road .....	+810	Johnson County (Unincorporated Areas).
	Approximately 300 feet upstream of County Road East 750 North.	+820	
Graham Ditch .....	At confluence with Canary Ditch .....	+761	Johnson County (Unincorporated Areas), City of Franklin.
	Approximately 1,500 feet upstream of Earlywood Drive .....	+768	
Grassy Creek .....	Approximately 2,400 feet upstream of County Road West 200 North.	+766	Johnson County (Unincorporated Areas), City of Greenwood, Town of Whiteland, Town of New Whiteland.
	Approximately 750 feet downstream of Granada Drive .....	+809	
	Approximately 750 feet downstream of Granada Drive .....	+809	City of Greenwood.
	Approximately 250 feet upstream of Fiesta Drive .....	+814	
	Approximately 250 feet upstream of Fiesta Drive .....	+814	City of Greenwood.
	Approximately 300 feet downstream of Interstate 65 .....	+821	
Hurricane Creek .....	At confluence with Youngs Creek .....	+723	City of Franklin.
	Approximately at Upper Shelbyville Road .....	+728	
	Approximately at Upper Shelbyville Road .....	+728	Johnson County (Unincorporated Areas)
	Approximately at County Road 375 East .....	+811	
Tracy Ditch .....	At confluence with Grassy Creek .....	+789	Johnson County (Unincorporated Areas), City of Greenwood.
	Approximately 50 feet upstream of West Stop 18 Road .....	+794	
Youngs Creek .....	Approximately 7,500 feet upstream of U.S Highway 31 .....	+712	Johnson County (Unincorporated Areas), City of Franklin.
	Approximately 4,000 feet upstream of South Morton Street .....	+729	
	Approximately 4,000 feet upstream of South Morton Street .....	+729	Johnson County (Unincorporated Areas), City of Franklin.
	At confluence with Roberts Ditch .....	+766	

# Depth in feet above ground.  
\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.

**ADDRESSES**

**Johnson County (Unincorporated Areas)**

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
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Maps available for inspection at Johnson County Planning Zoning, 86 West Court Street, Franklin, IN.

**Town of Edinburgh**

Maps available for inspection at Town Hall, 107 S. Holland Street, Edinburgh, IN.

**City of Franklin**

Maps available for inspection at Planning Department, 55 W. Madison Street, Franklin, IN.

**City of Greenwood**

Maps available for inspection at Planning Department, 225 E. Emerson Avenue, Greenwood, IN.

**Town of New Whiteland**

Maps available for inspection at Town Hall, 401 Mooreland Drive, New Whiteland, IN.

**Town of Prince's Lake**

Maps available for inspection at Town Hall, 14 E. Lakeview Drive, Nineveh, IN.

**Town of Whiteland**

Maps available for inspection at Whiteland Town Hall, 549 Main Street, Whiteland, IN.

**Hardin County, Kentucky and Incorporated Areas  
Docket No.: FEMA-B-7470**

Buffalo Creek .....	Approximately 750 feet upstream of Poplar Street .....	+708	City of Elizabethtown, Hardin County (Unincorporated Areas).
Hawkins Steel Tributary .....	Approximately 2,065 feet downstream of Bluegrass Road ..... Approximately 130 feet downstream of Steel Drive .....	+812 +745	City of Elizabethtown, Hardin County (Unincorporated Areas).
Park Lane Tributary .....	Approximately 615 feet upstream of Hodgenville Road ..... From the confluence with Freeman Creek .....	+763 +702	City of Elizabethtown, Hardin County (Unincorporated Areas).
Pear Orchard Tributary .....	Approximately 60 feet downstream Of Meadow Lane ..... Approximately 545 feet downstream of Village Drive .....  Approximately 80 feet upstream of Pear Orchard Road .....	+737 +716  +789	City of Elizabethtown, Hardin County (Unincorporated Areas).

# Depth in feet above ground.  
\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.

**ADDRESSES**

**Hardin County (Unincorporated Areas)**

Maps are available for inspection at 14 Public Square, 3rd Floor, Elizabethtown, Kentucky 42701.

**City of Elizabethtown**

Maps are available for inspection at 200 West Dixie Avenue, Elizabethtown, Kentucky 42701.

**Cayuga County, New York (All Jurisdictions)  
Docket No.: FEMA-D-7642**

Cayuga Lake .....	Entire shoreline within communities .....	+386	Town of Aurelius, Town of Genoa, Town of Ledyard, Town of Springport.
Cold Spring Brook (Reach 2) ....	Entire shoreline within community ..... Approximately 2,200 feet upstream of State Street .....	+386 +554	Village of Cayuga. City of Auburn, Town of Throop.
Cold Spring Brook/North Brook	Approximately 1,380 feet upstream of York Street ..... Approximately 1,320 feet upstream of confluence with Seneca River/Erie Canal.	+590 +383	Town of Brutus, Town of Mentz, Village of Weedsport.
Crane Brook .....	Approximately 4,550 feet upstream of Hamilton Road ..... Approximately 3,175 feet downstream of Conrail .....	+420 +589	City of Auburn, Town of Aurelius.
Dry Creek .....	Approximately 1,600 feet upstream of Genesee Street ..... At confluence with Owasco Inlet .....	+649 +731	Village of Moravia, Town of Moravia.
Dutch Hollow Brook .....	Approximately 1,840 feet upstream of Main Street (State Route 38). Approximately 780 feet upstream of confluence with Owasco Lake.	+773 +717	Town of Oswasco.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
Hunter Brook .....	Approximately 2,480 feet upstream of State Route 38A (East Lake Road).	+743	
Tributary No. 1 .....	Approximately 520 feet downstream of Conrail .....	+644	City of Auburn.
	Approximately 1,370 feet upstream of North Marvine Avenue ..	+761	
	Approximately 1,960 feet downstream of Grant Avenue .....	+653	City of Auburn, Town of Sennett.
	Approximately 1,135 feet upstream of Prospect Street .....	+755	
Tributary No. 2 .....	At confluence with Hunter Brook .....	+716	City of Auburn, Town of Owasco.
	Approximately 940 feet upstream of Second Avenue .....	+767	
Mill Creek .....	At confluence with Owasco Inlet .....	+728	Town of Moravia, Village of Moravia.
	Approximately 2,650 feet upstream of East Cayuga Street (State Route 38A).	+783	
North Brook Tributary 1 .....	At the confluence with North Brook .....	+400	Town of Brutus.
	Approximately 580 feet upstream of Hamilton Road .....	+420	
Owasco Inlet .....	Approximately 2,070 feet downstream of State Route 38 .....	+722	Village of Moravia, Town of Moravia, Town of Locke.
	Approximately 2.16 miles upstream of Aurora Street .....	+744	
Owasco Lake .....	Entire shoreline within community .....	+717	Town of Fleming, Town of Moravia, Town of Niles, Town of Scipio, Town of Venice.
	Approximately 6,420 feet upstream of Sperry Road .....	+385	Town of Mentz, Town of Throop, Village of Port Byron.
	Approximately 1,930 feet upstream of Hayden Road .....	+425	
Owasco Outlet .....	Approximately 900 feet downstream of Canoga Street .....	+553	City of Auburn, Town of Aurelius, Town of Fleming, Town of Owasco.
	Approximately 1,040 feet upstream of State Route 437 (White Bridge Road).	+716	
Paines Creek .....	Approximately 25 feet downstream of State Route 90 (Main Street).	+387	Village of Aurora, Town of Ledyard.
	Approximately 1,000 feet upstream of State Route 90 (Main Street).	+389	
Putnam Brook .....	At confluence with Cold Spring Brook .....	+389	Town of Brutus, Village of Weedsport.
	Approximately 2,200 feet upstream of Stevens Road .....	+571	
Tributary No. 1 .....	At confluence with Putnam Brook .....	+454	Town of Brutus, Town of Sennett.
	Approximately 2,710 feet upstream of Shepherd Road .....	+562	
Tributary No. 2 .....	At confluence with Putnam Brook .....	+485	Town of Brutus.
	Approximately 2,300 feet upstream of East Brutus Road (second crossing).	+539	
Tributary No. 3 .....	Approximately 110 feet upstream of confluence with Putnam Brook.	+524	Town of Brutus, Town of Sennett.
	Approximately 4,450 feet upstream of Jericho Road .....	+551	
Tributary No. 4 .....	At confluence with Putnam Brook .....	+568	Town of Brutus, Town of Sennett.
	Approximately 1,220 feet upstream of Grant Avenue/State Highway 5.	+580	
Seneca River .....	Approximately 225 feet downstream of Haiti Road .....	+384	Town of Mentz, Town of Conquest.
	Approximately 1.69 miles upstream of Haiti Road .....	+384	
Seneca River/Erie Canal .....	Approximately 80 feet upstream of Jordan Road .....	+382	Town of Mentz, Town of Brutus, Town of Cato, Town of Conquest, Town of Montezuma.
	Approximately 8,960 feet upstream of Conrail .....	+384	
Sucker Brook .....	Approximately 1,010 feet upstream of confluence with Owasco Lake.	+717	Town of Owasco.
	Approximately 2,570 feet upstream of East Lake Road (State Route 38A).	+730	
Unnamed Tributary 2 to Cayuga Lake.	Approximately 65 feet upstream of confluence with Cayuga Lake.	+386	Village of Union Springs, Town of Springport.

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
	Approximately 585 feet upstream of Creager Road .....	+560	

# Depth in feet above ground.  
\* National Geodetic Vertical Datum.  
+ North American Vertical Datum.

**ADDRESSES**

**City of Auburn**

Maps are available for inspection at the Auburn Memorial City Hall, 24 South Street, Auburn, New York 13021.

**Town of Aurelius**

Maps are available for inspection at the Aurelius Town Hall, 1241 West Genesee Street Road, Auburn, New York 13021.

**Town of Brutus**

Maps are available for inspection at the Brutus Town Clerk's Office, 9021 North Seneca Street, Weedsport, New York 13166.

**Town of Cato**

Maps are available for inspection at the Cato Town Hall, 11320 Shortcut Road, Cato, New York 13033.

**Town of Conquest**

Maps are available for inspection at the Town of Conquest, 1289 Fuller Road, Port Byron, New York 13140.

**Town of Fleming**

Maps are available for inspection at the Town of Fleming, 2433 Dublin Road, Auburn, New York 13021.

**Town of Genoa**

Maps are available for inspection at the Genoa Town Hall, 1000 Bartnick Road, Genoa, New York 13071.

**Town of Ledyard**

Maps are available for inspection at the Ledyard Town Hall, 1099 Poplar Ridge Road, Aurora, New York 13026.

**Town of Locke**

Maps are available for inspection at the Town of Locke, 703 State Route 38, Locke, New York 13092.

**Town of Mentz**

Maps are available for inspection at the Town of Mentz, 14 Mentz Drive, Port Byron, New York 13140.

**Town of Montezuma**

Maps are available for inspection at the Town of Montezuma Memorial Building, Dock Street, 52, Montezuma, New York 13117.

**Town of Moravia**

Maps are available for inspection at the Town of Moravia, 139 Main Street, Moravia, New York 13118.

**Town of Niles**

Maps are available for inspection at the Niles Town Hall, 5921 New Hope Road, Moravia, New York 13118.

**Town of Owasco**

Maps are available for inspection at the Owasco Town Hall, 2 Bristol Avenue, Auburn, New York 13021.

**Town of Scipio**

Maps are available for inspection at the Town of Scipio, 3705 State Route 34, Scipio Center, New York 13147.

**Town of Sennett**

Maps are available for inspection at the Town of Sennett, 6931 Cherry Street Road, Auburn, New York 13021.

**Town of Springport**

Maps are available for inspection at the Springport Town Hall, 859 State Route 326, Cayuga, New York 13034.

**Town of Throop**

Maps are available for inspection at the Throop Town Hall, 7471 Robinson Road, Auburn, New York 13021.

**Town of Venice**

Maps are available for inspection at the Town of Venice, 1589 McAllister Road, Genoa, New York 13071.

**Village of Aurora**

Maps are available for inspection at the Aurora Village Office, 456 Main Street, Aurora, New York 13026.

**Village of Cayuga**

Maps are available for inspection at the Village of Cayuga, 6205 Railroad Street, Cayuga, New York 13034.

**Village of Moravia**

Maps are available for inspection at the Moravia Village Office, 22 Central Street, Moravia, New York 13118.

**Village of Port Byron**

Maps are available for inspection at the Port Byron Village Hall, 52 Utica Street, Port Byron, New York 13140.

**Village of Union Springs**

Maps are available for inspection at the Village of Union Springs, 26 Chapel Street, Union Springs, New York 13160.

**Village of Weedsport**

Maps are available for inspection at the Weedsport Village Hall, 8892 South Street, Weedsport, New York 13166.

**Lincoln County, North Carolina and Incorporated Areas  
Docket No.: FEMA-D-7672**

Anderson Creek .....	At the confluence with Killian Creek .....	+667	Lincoln County (Unincorporated Areas).
	At the confluence with Hooper Creek and Wingate Creek .....	+709	
Tributary 1 .....	At the confluence with Anderson Creek .....	+675	Lincoln County (Unincorporated Areas).

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
Armstrong Branch .....	Approximately 1.9 miles upstream of the confluence with Anderson Creek.	+746	
	At the confluence with Dellinger Branch .....	+712	Lincoln County (Unincorporated Areas).
Ballard Creek .....	Approximately 0.9 mile upstream of the confluence with Dellinger Branch.	+765	
	At the confluence with Wingate Creek .....	+714	Lincoln County (Unincorporated Areas).
Tributary 1 .....	Approximately 0.6 mile upstream of the confluence of Ballard Creek Tributary 3.	+829	
	At the confluence with Ballard Creek .....	+745	Lincoln County (Unincorporated Areas).
Tributary 2 .....	Approximately 0.6 mile upstream of the confluence with Ballard Creek.	+791	
	At the confluence with Ballard Creek .....	+765	Lincoln County (Unincorporated Areas).
Tributary 3 .....	Approximately 90 feet downstream of East King Wilkinson Road (State Route 1349).	+827	
	At the confluence with Ballard Creek .....	+811	Lincoln County (Unincorporated Areas).
Bradshaw Branch .....	Approximately 1,900 feet upstream of North Ernest Huss Lane	+911	
	At the confluence with Leepers Creek .....	+713	Lincoln County (Unincorporated Areas).
Buffalo Creek .....	Approximately 1.7 miles upstream of the confluence with Leepers Creek.	+754	
	At Cleveland/Lincoln County boundary .....	+957	Lincoln County (Unincorporated Areas).
Tributary 5 .....	Approximately 600 feet upstream of NC-10 .....	+1,155	
	At the confluence with Buffalo Creek .....	+988	Lincoln County (Unincorporated Areas).
Tributary 6 .....	Approximately 0.6 mile upstream of the confluence with Buffalo Creek.	+1,017	
	At the confluence with Buffalo Creek .....	+1,033	Lincoln County (Unincorporated Areas).
Tributary 6A .....	Approximately 0.5 mile upstream of the confluence of Buffalo Creek Tributary 6A.	+1,099	
	At the confluence with Buffalo Creek Tributary 6 .....	+1,074	Lincoln County (Unincorporated Areas).
Carpenter Creek .....	Approximately 0.6 mile upstream of the confluence with Buffalo Creek Tributary 6.	+1,118	
	Approximately 0.4 mile upstream of the confluence with Clarks Creek.	+774	Lincoln County (Unincorporated Areas), City of Lincolnton.
Tributary 1 .....	Approximately 100 feet downstream of U.S. 321 .....	+865	
	At the confluence with Carpenter Creek .....	+801	Lincoln County (Unincorporated Areas).
Catawba River .....	Approximately 0.4 mile upstream of North Bulldog Lane .....	+833	
	At Gaston/Lincoln County boundary .....	+665	Lincoln County (Unincorporated Areas).
Tributary 4 .....	At Cowans Ford Dam .....	+670	
	At the confluence with Catawba River .....	+665	Lincoln County (Unincorporated Areas).
Tributary 5 .....	Approximately 0.4 mile upstream of the confluence with Catawba River.	+665	
	At the confluence with Catawba River .....	+667	Lincoln County (Unincorporated Areas).
Tributary 6 .....	Approximately 0.7 mile upstream of the confluence with Catawba River.	+673	
	At the confluence with Catawba River .....	+668	Lincoln County (Unincorporated Areas).
Clarks Creek .....	Approximately 300 feet upstream of North Club Drive (State Route 1395).	+682	
	Approximately 0.8 mile downstream of West Maiden-Salem Road (State Route 1274).	+780	Lincoln County (Unincorporated Areas).
	Approximately 200 feet upstream of Lincoln/Catawba County boundary.	+792	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
Tributary 1 .....	Approximately 1,100 feet upstream of the confluence with Clarks Creek.	+765	City of Lincoln.
Tributary 2 .....	Approximately 150 feet upstream of North Aspen Street .....	+788	Lincoln County (Unincorporated Areas).
	At the confluence with Clarks Creek .....	+781	
Crooked Creek .....	Approximately 0.6 mile upstream of the confluence with Clarks Creek.	+790	Lincoln County (Unincorporated Areas).
	At the confluence with Leepers Creek .....	+691	
Dellinger Branch .....	Approximately 0.9 mile upstream of the confluence with Leepers Creek.	+722	Lincoln County (Unincorporated Areas).
	At the confluence with Leepers Creek .....	+712	
Tributary 1 .....	Approximately 1,150 feet upstream of South Low Bridge Road (State Route 1314).	+792	Lincoln County (Unincorporated Areas).
	At the confluence with Dellinger Branch .....	+738	
Forney Creek .....	Approximately 1,200 feet upstream of East Orchard Road (State Route 1358).	+809	Lincoln County (Unincorporated Areas).
	At the confluence with Killian Creek .....	+663	
Tributary 1 .....	Approximately 2.6 miles upstream of East Optimist Club Road (State Route 1380).	+769	Lincoln County (Unincorporated Areas).
	At the confluence with Forney Creek .....	+679	
Tributary 1A .....	Approximately 1,350 feet upstream of the confluence of Forney Creek Tributary 1B.	+710	Lincoln County (Unincorporated Areas).
	At the confluence with Forney Creek Tributary 1 .....	+679	
Tributary 1B .....	Approximately 0.7 mile upstream of the Railroad .....	+707	Lincoln County (Unincorporated Areas).
	At the confluence with Forney Creek Tributary 1 .....	+695	
Glenn Creek .....	Approximately 0.4 mile upstream of the confluence with Forney Creek Tributary 1.	+702	Lincoln County (Unincorporated Areas).
	At Cleveland/Lincoln County boundary .....	+899	
Hog Branch .....	Approximately 230 feet downstream of NC-27 .....	+1,041	Lincoln County (Unincorporated Areas).
	At the confluence with Larkard Creek .....	+788	
Hooper Creek .....	Approximately 1.0 mile upstream of North U.S. 321 (State Route 1844).	+830	Lincoln County (Unincorporated Areas).
	At the confluence with Anderson Creek and Wingate Creek .....	+709	
Howards Creek .....	Approximately 1.6 miles upstream of the confluence with Anderson Creek and Wingate Creek.	+753	Lincoln County (Unincorporated Areas).
	Approximately 1,800 feet upstream of the confluence with South Fork Catawba River.	+769	
Tributary 1 .....	Approximately 100 feet upstream of Catawba/Lincoln County boundary.	+972	Lincoln County (Unincorporated Areas).
	At the confluence with Howards Creek .....	+769	
Tributary 2 .....	Approximately 0.8 mile upstream of the confluence with Howards Creek.	+795	Lincoln County (Unincorporated Areas).
	At the confluence with Howards Creek .....	+780	
Tributary 3 .....	Approximately 1.4 miles upstream of North Alf Hoover Road (State Route 1200).	+904	Lincoln County (Unincorporated Areas).
	At the confluence with Howards Creek .....	+839	
Tributary 4 .....	Approximately 0.5 mile upstream of North Howards Creek Mill Road (State Route 1194).	+880	Lincoln County (Unincorporated Areas).
	At the confluence with Howards Creek .....	+859	
	Approximately 0.5 mile upstream West Abernethy Farm Road (State Route 1195).	+904	



Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
Tributary 5 .....	At the confluence with Howards Creek .....	+867	Lincoln County (Unincorporated Areas).
Tributary 6 .....	Approximately 100 feet downstream of North Overlook Lane ... At the confluence with Howards Creek .....	+909 +911	Lincoln County (Unincorporated Areas).
Tributary 7 .....	Approximately 0.8 mile upstream of West Reepsville Road (State Route 1113). At the confluence with Howards Creek .....	+1,001 +928	Lincoln County (Unincorporated Areas).
Hoyle Creek .....	Approximately 1,100 feet upstream of West Gilbert Sain Road (State Route 1210). Approximately 200 feet downstream of Gaston/Lincoln County boundary.	+1,022 +742	Lincoln County (Unincorporated Areas).
Tributary 1 .....	Approximately 10 feet downstream of East Keener Road (State Route 1323). At the confluence with Hoyle Creek .....	+872 +742	Lincoln County (Unincorporated Areas).
Tributary 2 .....	Approximately 0.4 mile upstream of East Magnolia Grove Road (State Route 1309). At the confluence with Hoyle Creek .....	+773 +756	Lincoln County (Unincorporated Areas).
Tributary 4 .....	Approximately 0.5 mile upstream of the confluence with Hoyle Creek. At the confluence with Hoyle Creek .....	+770 +767	Lincoln County (Unincorporated Areas).
Tributary 5 .....	Approximately 0.7 mile upstream of the confluence with Hoyle Creek. At the confluence with Hoyle Creek .....	+789 +784	Lincoln County (Unincorporated Areas).
Tributary 6 .....	Approximately 0.4 mile upstream of East Hovis Road (State Route 1315). At the confluence with Hoyle Creek .....	+810 +809	Lincoln County (Unincorporated Areas).
Indian Creek .....	Approximately 0.4 mile upstream of South Hill Road (State Route 1321). Approximately 0.6 mile downstream of Gaston/Lincoln County boundary.	+855 +787	Lincoln County (Unincorporated Areas).
Tributary 1 .....	At Catawba/Lincoln County boundary .....	+1,011	Lincoln County (Unincorporated Areas).
Tributary 2 .....	At upstream side of South Landers Church Road (State Route 1176). Approximately 650 feet upstream of South St. Marks Church Road (State Route 1172).	+762 +808	Lincoln County (Unincorporated Areas).
Johnson Creek .....	Approximately 1,200 feet upstream of the confluence with Indian Creek. Approximately 1,200 feet upstream of the dam .....	+773 +896	Lincoln County (Unincorporated Areas).
Killian Creek .....	At Gaston/Lincoln County boundary .....	+664 +680	Lincoln County (Unincorporated Areas).
Larkard Creek .....	Approximately 0.9 mile upstream of Gaston/Lincoln County boundary. At Gaston/Lincoln County boundary .....	+635 +635	Lincoln County (Unincorporated Areas).
Leepers Creek .....	Approximately 1.5 miles upstream of East Mundy Road (State Route 1349). At the confluence with Clarks Creek .....	+829 +782	Lincoln County (Unincorporated Areas).
Tributary 1 .....	Approximately 200 feet upstream of East Springs East Road (State Route 1342). At the Gaston/Lincoln County boundary .....	+845 +635	Lincoln County (Unincorporated Areas).
Tributary 2 .....	At the confluence with Lippard Creek and Sawmill Branch .....	+807	Lincoln County (Unincorporated Areas).
Tributary 1 .....	At the confluence with Leepers Creek .....	+661	Lincoln County (Unincorporated Areas).
Tributary 2 .....	Approximately 0.6 mile upstream of the confluence with Leepers Creek. At the confluence with Leepers Creek .....	+677 +663	Lincoln County (Unincorporated Areas).

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
Tributary 3 .....	Approximately 0.7 mile upstream of the confluence with Leepers Creek.	+685	
Tributary 3 .....	At the confluence with Leepers Creek .....	+665	Lincoln County (Unincorporated Areas).
Tributary 4 .....	Approximately 2,000 feet upstream of the confluence with Leepers Creek.	+686	
Tributary 4 .....	At the confluence with Leepers Creek .....	+667	Lincoln County (Unincorporated Areas).
Tributary 5 .....	Approximately 0.5 mile upstream of the confluence with Leepers Creek.	+696	
Tributary 5 .....	At the confluence with Leepers Creek .....	+671	Lincoln County (Unincorporated Areas).
Leonard Fork .....	Approximately 1.2 miles upstream of the confluence with Leepers Creek.	+702	
Leonard Fork .....	Approximately 1,300 feet upstream of the confluence with Indian Creek.	+773	Lincoln County (Unincorporated Areas).
Tributary 1 .....	Approximately 0.5 mile upstream of West Flay Road (State Route 1140).	+934	
Tributary 1 .....	At the confluence with Leonard Fork .....	+868	Lincoln County (Unincorporated Areas).
Lick Fork Creek .....	Approximately 0.9 mile upstream of the confluence with Leonard Fork.	+937	
Lick Fork Creek .....	At the confluence with Indian Creek .....	+790	Lincoln County (Unincorporated Areas).
Lick Run Creek .....	Approximately 1,300 feet upstream of Gaston/Lincoln County boundary.	+792	
Lick Run Creek .....	At the confluence with Leepers Creek .....	+754	Lincoln County (Unincorporated Areas).
Lippard Creek .....	Approximately 900 feet upstream of North Leeping Brook Road (State Route 1530).	+895	
Lippard Creek .....	At the confluence with Leepers Creek and Sawmill Branch .....	+807	Lincoln County (Unincorporated Areas).
Tributary 1 .....	At Catawba/Lincoln County boundary .....	+869	
Tributary 1 .....	At the confluence with Lippard Creek .....	+832	Lincoln County (Unincorporated Areas).
Lithia Inn Branch .....	Approximately 1,600 feet upstream of East Ivey Church Road (State Route 1343).	+891	
Lithia Inn Branch .....	Approximately 500 feet downstream of North Jonas Drive .....	+774	City of Lincoln.
Tributary 1 .....	Approximately 450 feet upstream of U.S. 321 .....	+878	
Tributary 1 .....	Approximately 500 feet upstream of the confluence with Lithia Inn Branch.	+772	City of Lincoln.
Tributary 2 .....	Approximately 600 feet upstream of State Route 150/South Dave Warlick Drive.	+828	
Tributary 2 .....	At the confluence with Lithia Inn Branch Tributary 1 .....	+783	City of Lincoln.
Little Buffalo Creek .....	Approximately 200 feet upstream of East Laurel Street .....	+805	
Little Buffalo Creek .....	At Cleveland/Lincoln County boundary .....	+854	Lincoln County (Unincorporated Areas).
Little Creek (East) .....	Approximately 50 feet downstream of West Flay Road (State Route 1140).	+964	
Little Creek (East) .....	At the confluence with Indian Creek .....	+847	Lincoln County (Unincorporated Areas).
Little Creek (West) .....	Approximately 200 feet upstream of West Houser Farm Road (State Route 1127).	+960	
Little Creek (West) .....	At the Cleveland/Lincoln County boundary .....	+961	Lincoln County (Unincorporated Areas).
Little Indian Creek .....	Approximately 1.4 miles upstream of Cleveland/Lincoln County boundary.	+1,022	
Little Indian Creek .....	At the confluence of Indian Creek .....	+878	Lincoln County (Unincorporated Areas).
Tributary 1 .....	Approximately 250 feet upstream of West Macedonia Church Road.	+1,067	
Tributary 1 .....	At the confluence with Little Indian Creek .....	+905	Lincoln County (Unincorporated Areas).
Tributary 1 .....	Approximately 0.7 mile upstream of the confluence with Little Indian Creek.	+991	

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
Tributary 2 .....	At the confluence with Little Indian Creek .....	+917	Lincoln County (Unincorporated Areas).
	Approximately 0.5 mile upstream of North Red Dawn Estate Trail.	+986	
Tributary 3 .....	At the confluence with Little Indian Creek .....	+934	Lincoln County (Unincorporated Areas).
	Approximately 300 feet upstream of Hulls Grove Church Road	+984	
Tributary 4 .....	At the confluence with Little Indian Creek .....	+937	Lincoln County (Unincorporated Areas).
	Approximately 0.4 mile upstream of West Macedonia Church Road (State Route 1108).	+1,069	
Tributary 4A .....	At the confluence with Little Indian Creek Tributary 4 .....	+978	Lincoln County (Unincorporated Areas).
	Approximately 0.7 mile upstream of North Tallent Road (State Route 1120).	+1,047	
Little Pott Creek .....	At the confluence with Pott Creek .....	+793	Lincoln County (Unincorporated Areas).
	Approximately 150 feet downstream of North Cansler Road (State Route 1197).	+874	
Lutz Branch .....	At the Gaston/Lincoln County boundary .....	+738	Lincoln County (Unincorporated Areas).
	Approximately 150 feet downstream of East Mirror Lake Road (State Route 1474).	+760	
McClure Branch .....	At the confluence with Leepers Creek .....	+671	Lincoln County (Unincorporated Areas).
	Approximately 1.6 miles upstream of South Mt. Zion Church Road (State Route 1404).	+743	
Mill Creek .....	At the confluence with Indian Creek .....	+795	Lincoln County (Unincorporated Areas).
	Approximately 1.5 miles upstream of South Bess Chapel Church Road (State Route 1150).	+1,023	
Muddy Creek .....	At Gaston/Lincoln County boundary .....	+713	Lincoln County (Unincorporated Areas).
	Approximately 0.7 mile upstream of the confluence of Muddy Creek Tributary 2.	+786	
Tributary 1 .....	At the confluence of Muddy Creek .....	+748	Lincoln County (Unincorporated Areas).
	Approximately 1,700 feet upstream of U.S. 321 .....	+778	
Tributary 2 .....	At the confluence with Muddy Creek .....	+752	Lincoln County (Unincorporated Areas).
	Approximately 1,450 feet upstream of U.S. 321 .....	+793	
Ore Bank Branch .....	At the confluence with Leepers Creek .....	+783	Lincoln County (Unincorporated Areas).
	Approximately 1.0 mile upstream of the confluence with Leepers Creek.	+822	
Pott Creek .....	At the confluence with South Fork Catawba River .....	+778	Lincoln County (Unincorporated Areas).
	At Catawba/Lincoln County boundary .....	+802	
Reed Creek .....	At the confluence with Leepers Creek .....	+723	Lincoln County (Unincorporated Areas).
	Approximately 1,900 feet upstream of East Stagecoach Road (State Route 1363).	+773	
Rockdam Creek .....	At the confluence with Howards Creek .....	+769	Lincoln County (Unincorporated Areas).
	Approximately 250 feet upstream of South Howards Creek School Road (State Route 1186).	+830	
Sawmill Branch .....	At the confluence with Leepers Creek .....	+807	Lincoln County (Unincorporated Areas).
	Approximately 1.3 miles upstream of North Union Church Road (State Route 1344).	+871	
Tributary 1 .....	At the confluence with Sawmill Branch .....	+833	Lincoln County (Unincorporated Areas).
	Approximately 0.5 mile upstream of the confluence with Sawmill Branch.	+864	
Snyder Creek .....	At the confluence with Killian Creek .....	+686	Lincoln County (Unincorporated Areas).

Flooding source(s)	Location of referenced elevation	* Elevation in feet (NGVD) + Elevation in feet (NAVD) # Depth in feet above ground. Modified	Communities affected
South Fork Catawba River .....	Approximately 1.8 mile upstream of the confluence with Killian Creek.	+732	
	Approximately 2.4 miles upstream of the confluence of Howards Creek.	+773	Lincoln County (Unincorporated Areas).
South Fork Catawba River Tributary 3.	At Catawba/Lincoln County boundary .....	+793	
	At Gaston/Lincoln County boundary .....	+717	Lincoln County (Unincorporated Areas).
Tributary 4 .....	Approximately 500 feet upstream of West Hoffman Road (State Route 1245).	+730	
	At Railroad .....	+757	Lincoln County (Unincorporated Areas), City of Lincolnton.
Tributary 5 .....	Approximately 200 feet upstream of State Route 150 .....	+776	
	At the confluence with South Fork Catawba River .....	+782	Lincoln County (Unincorporated Areas).
Tanyard Creek .....	Approximately 1.0 mile upstream of the confluence with South Fork Catawba River.	+800	
	At the confluence with Howards Creek .....	+779	Lincoln County (Unincorporated Areas).
Tributary 1 .....	Approximately 2.6 miles upstream of West Reepsville Road (State Route 1113).	+906	
	At the confluence with Tanyard Creek .....	+791	Lincoln County (Unincorporated Areas).
Walker Branch .....	Approximately 1.6 miles upstream of West Reepsville Road (State Route 1113).	+890	
	Approximately 200 feet downstream of North Aspen Street .....	+765	Lincoln County (Unincorporated Areas), City of Lincolnton.
Tributary 2 .....	Approximately 200 feet downstream of East Wilma Sigmon Road.	+815	
	At the confluence with Walker Branch .....	+805	Lincoln County (Unincorporated Areas), City of Lincolnton.
Wilkinson Creek .....	Approximately 0.4 mile upstream of North Huss Street .....	+947	
	At the confluence with Wingate Creek .....	+753	Lincoln County (Unincorporated Areas).
Wingate Creek .....	Approximately 300 feet upstream of State Route 150 .....	+910	
	At the confluence with Anderson Creek and Hooper Creek .....	+709	Lincoln County (Unincorporated Areas).
	Approximately 1.3 miles upstream of the confluence of Wilkinson Creek.	+804	

# Depth in feet above ground.  
 \* National Geodetic Vertical Datum.  
 + North American Vertical Datum.

**ADDRESSES**

**City of Lincolnton**

Maps are available for inspection at the City of Lincolnton Planning Department, 114 West Sycamore Street, Lincolnton, North Carolina.

**Lincoln County (Unincorporated Areas)**

Maps are available for inspection at the Lincoln County Planning Department, 302 North Academy Street, Lincolnton, North Carolina.

**Brown County, South Dakota and Incorporated Areas  
 Docket No.: FEMA-B-7343**

4th Street Drainageway .....	Approximately 400 feet downstream of Sixth Street .....	+1,295	City of Groton.
	Approximately 200 feet downstream of Sixth Street .....	+1,296	
	Approximately 300 feet upstream of 13th Avenue/Highway 12	+1,302	

# Depth in feet above ground.  
 \* National Geodetic Vertical Datum.  
 + North American Vertical Datum.

**ADDRESSES**

**City of Groton**

Maps are available for inspection City Hall, 209 North Main Street, Groton, South Dakota, 57445.

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

Dated: February 28, 2007.

**David I. Maurstad,**

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

[FR Doc. E7-4157 Filed 3-7-07; 8:45 am]

**BILLING CODE 9110-12-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### 45 CFR Part 30

RIN 0991-AB18

#### Claims Collection

**AGENCY:** Department of Health and Human Services.

**ACTION:** Final rule.

**SUMMARY:** This final rule amends the Department of Health and Human Services' (HHS) regulations to implement the provisions of the Debt Collection Improvement Act of 1996 (DCIA), as implemented by the Department of Justice (Justice) and the Department of the Treasury (Treasury) as the Federal Claims Collection Standards (FCCS). This final rule implements the final rule promulgated by Justice and Treasury, and amends the process by which HHS can administratively collect, offset, compromise, suspend and terminate collection activity for civil claims for money, funds, or property, and the rules and process by which HHS can refer civil claims to Treasury, Treasury-designated debt collection centers, or Justice for collection by further administrative action or litigation, as applicable.

**DATES:** *Effective Date:* March 8, 2007.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey S. Davis, Associate General Counsel, General Law Division, Office of the General Counsel, Department of Health and Human Services, Room 4760 Cohen Building, 330 Independence Avenue SW., Washington, DC 20201.

#### SUPPLEMENTARY INFORMATION:

##### Background

The Debt Collection Act of 1982 (DCA), Public Law No. 97-365, was implemented on a government-wide basis by the FCCS, set forth at 4 CFR part 101 *et seq.*, issued by Justice and the General Accounting Office on March 9, 1984. See 49 FR 8889 (1984). HHS implemented the FCCS at 45 CFR part 30. As mandated by the DCIA, Justice

and Treasury jointly promulgated the revised FCCS at 31 CFR parts 900-904 to reflect the legislative changes to the Federal debt collection procedures enacted by the DCIA. The revised FCCS superseded the current FCCS, and removed the Comptroller General as promulgator of the FCCS. HHS is required to implement regulations, consistent with the DCIA and the regulations promulgated by Justice and Treasury. The following changes to the Department's current debt collection regulation are incorporated in the proposed regulation to reflect the DCIA and the implementing final rule:

1. **Demand Letter.** One demand should be sufficient. It will include the applicable standards for imposing any interest, penalties, or administrative costs; use of collection agencies, Federal salary offset, tax refund offset, administrative offset, and litigation; any rights the debtor may have to seek review of the Department's determination of the debt and to enter into a reasonable repayment agreement; and information regarding the Department's remedies to enforce payment of the debt.

2. **Mutual Releases.** HHS and debtors will exchange mutual releases of non-tax liabilities, in all appropriate instances, when a claim is compromised.

3. **Increase in Amounts.** The principal claim amount that HHS is authorized to compromise or to suspend or terminate collection activity thereon, without concurrence by Justice, is increased from \$20,000 to \$100,000. In addition, the minimum amount of a claim that may be referred to Justice for litigation is increased from \$600 to \$2,500.

4. **Transferring or Referring Delinquent Debt.** There are new debt collection procedures for transferring or referring delinquent debt to Treasury or a Treasury-designated debt collection center for collection.

5. **Centralized Administrative Offset.** There are new debt collection procedures for mandatory, centralized administrative offset by disbursing officials.

6. **Mandatory Credit Bureau Reporting.** There are new debt collection procedures for mandatory credit bureau reporting.

7. **Prohibition Against Federal Financial Assistance.** There are new debt collection procedures prohibiting Federal financial assistance in the form of loans, loan guarantees, or loan insurance to debtors, unless waived by the Secretary. Disaster loans are exempt from this prohibition.

8. **Army Hold-up List.** The use of the Army hold-up list to report indebted

contractors to the Department of the Army has been discontinued.

Additionally, we note that the current HHS claims collection regulations at 45 CFR 30.13(d) provided: "[u]nless specifically authorized by statute, regulation or written agreement, or unless the debts arise from, or involve, fraud or criminal activity, the Secretary will not charge interest on debts arising from payments to beneficiaries under Titles II, XVI, and XVIII of the Social Security Act." This rule will not change this Departmental practice. For debts arising from payments to beneficiaries under Titles XVI and XVIII of the Social Security Act (Title II is now administered by the Social Security Administration), the Secretary will not assess interest unless specifically required to do so by statute, regulation or written agreement, or unless the debts arise from, or involve, fraud or criminal activity.

To the extent any provision of this rule is inconsistent with a more specific provision (e.g., certain provisions in 45 CFR parts 31, 32, and 33 and 42 CFR parts 401 and 405), the more specific provision shall apply.

#### Basic Provisions

In accordance with the requirements of the DCIA and the implementing regulations promulgated by Justice and Treasury at 31 CFR parts 900-904, this final rule establishes the procedures for the administrative collection, offset, compromise, suspension and termination of collection activity for civil claims for money, funds, or property, as defined by 31 U.S.C. 3701(b), and the process by which HHS can refer civil claims to Treasury, Treasury-designated debt collection centers, or Justice for collection by further administrative action or litigation, as applicable. The rule does not apply to claims between Federal agencies. The rule affects HHS's debtors. This rule revises the current Department regulation in accordance with the substantive and procedural requirements of the DCIA and the implementing final rule.

(Authority: 31 U.S.C. 3711.)

#### Public Comments

We received the following comments on the proposed rule.

*Comment:* One commenter asserted that the mandatory demand letter statements required by § 30.11 of the proposed rule potentially conflicted with validation disclosures of § 809 of the Fair Debt Collection Practices Act (FDCPA) that private collection contractors are required to deliver in their initial demand letters.