

resulting from a flood and to preserve it after a flood, while Article VIII.L.2 requires the insured, should a flood loss occur, to protect the insured property from further damage.

Recovery for expenses incurred under these provisions is available only under certain conditions. Article III.B.1 only provides coverage for expenses incurred "after a flood" and further provides such coverage at the "sole option" of FEMA. Article VIII.H provides coverage for expenses incurred under Article VIII.L.2 only for expenses incurred "following a loss by flood." Thus, both Articles III.B.1 and Article VIII.H and L.2 limit coverage for mitigation expenses to expenses incurred after a flood to mitigate damages from that flood, thereby precluding any coverage for the construction of dikes or the installation of "rip-rap." Article VIII.H has other conditions that must be met before there is coverage for expenses incurred under Article VIII.L.2. The expenses must be for repairs that are: (1)

"Reasonable," (2) made to property "damaged by flood," and (3) made to "insured property." In regard to the third of these three additional conditions, it should be noted that neither the construction of dikes nor the installation of "rip-rap" could constitute repairs to insured property, as land is not insurable under the SFIP.

Finally, any possibility that expenses for the construction of dikes or the installation of "rip-rap" might be considered "Direct Physical Loss by or From Flood" is ruled out by the existence of the two provisions regarding coverage for mitigation expenses already discussed (Article III.B.1 and Article VIII.H and L.2). Having expressly provided the conditions under which mitigation expenses are covered, the policy limits coverage to exactly those conditions.

(National Flood Insurance Act of 1968, as amended (Title XIII of the Housing and Urban Development Act of 1968), 42 U.S.C. 4001-4128; Reorganization Plan No. 3 of 1978 (43 FR 41934); E.O. 12127, dated March 31, 1979 (44 FR 19367); E.O. 11988, dated May 24, 1977, and 44 CFR Part 9; Delegation of Authority of Federal Insurance Administrator, 44 CFR Part 2)

Issued at: Washington, D.C., May 11, 1984.

Jeffrey S. Bragg,

Federal Insurance Administrator.

[FR Doc. 84-17050 Filed 6-27-84; 8:45 am]

BILLING CODE 6718-03-M

44 CFR Part 64

[Docket No. FEMA 6609]

Suspension of Community Eligibility Under the National Flood Insurance Program

AGENCY: Federal Emergency Management Agency, FEMA.

ACTION: Final rule.

SUMMARY: This rule lists 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 flood plain management requirements of the program. If FEMA receives documentation that the community has adopted the required flood plain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the Federal Register.

EFFECTIVE DATES: The third date ("Susp.") listed in the fourth column.

FOR FURTHER INFORMATION CONTACT: Frank H. Thomas, Assistant Administrator, Office of Loss Reduction, Federal Insurance Administration, (202) 287-0222, 500 C Street, Southwest, FEMA—Room 509, Washington, D.C. 20472.

SUPPLEMENTARY INFORMATION: The National Flood Insurance Program (NFIP), enables property owners to purchase flood insurance at rates made reasonable through a Federal subsidy. In return, communities agree to adopt and administer local flood plain management measures 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. 4001-4128) unless an appropriate public body shall have adopted adequate flood plain management measures with effective enforcement measures. The communities listed in this notice no longer meet that statutory requirement for compliance with program regulations (44 CFR Part 59 et seq.). Accordingly, the communities are suspended on the effective date in the fourth column, so that as of that date flood insurance is no longer available in the community. However, those communities which, prior to the suspension date, adopt and submit documentation of legally enforceable flood plain management measures required by the program, will continue their eligibility for the sale of insurance. Where adequate documentation is received by FEMA, a notice withdrawing the suspension will be published in the Federal Register.

In addition, the Director of Federal Emergency Management Agency has identified the special flood hazard areas in these communities by publishing a Flood Hazard Boundary Map. The date of the flood map, if one has been published, is indicated in the fifth column of the table. No direct Federal financial assistance (except assistance pursuant to the Disaster Relief Act of 1974 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 (Pub. L. 93-234), 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 Director finds that notice and public procedure under 5 U.S.C. 533(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 Office that the community will be suspended unless the required flood plain management measures are met prior to the effective suspension date. For the same reasons, this final rule may take effect within less than 30 days.

Pursuant to the provision of 5 U.S.C. 605(b), the Administrator, Federal Insurance Administration, to whom authority has been delegated by the Director, Federal Emergency Management Agency, hereby certifies that this rule if promulgated will not have a significant economic impact on a substantial number of small entities. As stated in Section 2 of the Flood Disaster Protection Act of 1973, the establishment of local flood plain management together with the availability of flood insurance decreases the economic impact of future flood losses to both the particular community and the nation as a whole. This rule in and of itself does not have a significant economic impact. Any economic impact results from the community's decision not to (adopt) (enforce) adequate flood plain management, thus placing itself in noncompliance of the Federal standards required for community participation. In each entry, a complete chronology of effective dates appears for each listed community.

List of Subject in 44 CFR Part 64

Flood Insurance, Flood Plains.

Section 64.6 is amended by adding in alphabetical sequence new entries to the table

PART 64—[AMENDED]

§ 64.6 List of Eligible Communities.

* * * * *

State and county	Location	Community No.	Effective dates of authorization/ cancellation of sale of flood insurance in community	Special flood hazard area identified	Date certain Federal assistance no longer available in special flood hazard areas
Region I					
Connecticut: New Haven	Madison, town of	090079B	July 19, 1973, emergency; Sept. 15, 1978, regular; July 5, 1984, suspension.	May 31, 1974 and Sept. 15, 1978	July 5, 1984.
Maine: York	Old Orchard Beach, town of	230153B	Aug. 23, 1974, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Aug. 23, 1974 and Nov. 19, 1976	Do.
Massachusetts: Middlesex	Burlington, town of	250185B	June 2, 1976, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Aug. 9, 1977	Do.
Hampden	Holland, town of	250141B	July 18, 1975, emergency; July 5, 1984, regular; July 5, 1984, suspension.	June 7, 1974 and Apr. 8, 1977	Do.
Worcester	Milford, town of	250317B	Aug. 11, 1975, emergency; July 5, 1984, regular; July 5, 1984, suspension.	July 26, 1974 and Dec. 17, 1976	Do.
Region II					
New Jersey: Monmouth	Atlantic Highlands, borough of	340286C	June 19, 1975, emergency; Sept. 3, 1981, regular; July 5, 1984, suspension.	Dec. 21, 1975, Feb. 20, 1976, and Aug. 3, 1981.	Do.
New York: Dutchess	Clinton, town of	361334C	Mar. 1, 1976, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Dec. 20, 1974, Aug. 20, 1976, and July 1, 1977.	Do.
Ulster	Esopus, town of	360855B	Oct. 9, 1974, emergency; July 5, 1984, regular; July 5, 1984, suspension.	May 31, 1974 and Jan. 9, 1976	Do.
Region III					
Pennsylvania: Bucks	West Rockhill, township of	421123B	June 1, 1979, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Sept. 13, 1974	Do.
West Virginia: Kanawha	Handley, town of	540279A	Dec. 3, 1975, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Jan. 17, 1975	Do.
Region V					
Wisconsin: Dodge	Beaver Dam, city of	550095D	May 16, 1975, emergency; Apr. 3, 1984, regular; July 5, 1984, suspension.	Dec. 17, 1973, Oct. 10, 1975, Sept. 24, 1976, and Jan. 27, 1978.	Do.
Illinois: Lawrence	Birds, village of	170410A	Nov. 20, 1975, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Dec. 27, 1974	Do.
Region VI					
Louisiana: Jefferson Parish	Harahan, city of	225200C	Apr. 19, 1973, emergency; June 15, 1973, regular; July 5, 1984, suspension.	June 15, 1973, July 1, 1974, and July 11, 1975.	Do.
Calcasieu Parish	Lake Charles, city of	220040C	Feb. 9, 1973, emergency; Oct. 16, 1979, regular; July 5, 1984, suspension.	Nov. 1, 1974, Feb. 18, 1977, and Oct. 16, 1979.	Do.
Region VII					
Missouri: Saline	Miami, city of	290404A	Nov. 3, 1975, emergency; July 5, 1984, suspension.	Feb. 6, 1976	Do.
Region IX					
California: San Mateo	Unincorporated areas	060311B	Aug. 27, 1975, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Nov. 1, 1974 and Apr. 15, 1977	Do.
Contra Costa	Concord, city of	065022B	July 24, 1970, emergency; July 5, 1984, regular; July 5, 1984, suspension.	June 28, 1974 and Apr. 9, 1976	Do.
Solano	Fairfield, city of	060370B	Jan. 17, 1975, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Oct. 18, 1974 and Nov. 28, 1975	Do.
Region X					
Washington: King	Snoqualmie, town of	530090A	July 7, 1974, emergency; July 5, 1984, regular; July 5, 1984, suspension.	Dec. 21, 1976	Do.

(National Flood Insurance Act of 1968 (title XIII of the Housing and Urban Development Act of 1968); effective Jan. 28, 1969 (33 FR 17804, Nov. 28, 1968), as amended, 42 U.S.C. 4001-4128; Executive Order 12127, 44 FR 19367; and delegation of authority to the Administrator, Federal Insurance Administration)

Issued: June 22, 1984.

Jeffrey S. Bragg,

Administrator, Federal Insurance Administration.

[FR Doc. 84-17211 Filed 6-27-84; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 42

[CGD 79-023]

Subdivision and Stability Regulations

AGENCY: Coast Guard, DOT.

ACTION: Final rule; correction.

SUMMARY: This document corrects an amendment in final regulations which transfer the subdivision and stability regulations for merchant vessels to a new Subchapter S. The regulations were published on November 4, 1983 (48 FR 50996).

FOR FURTHER INFORMATION CONTACT:

Mr. Frank Perrini, (202) 426-2806. In FR Doc. 83-29910 at page 51006 of the **Federal Register** of November 4, 1983, paragraph 11 of the amendments is corrected to read as follows:

11. In § 42.20-3, by revising paragraph (b) to read as follows:

§ 42.20-3 Freeboard assignment: Type "A" vessels.

(b) A vessel that meets the requirements of Subpart D, F, or G of Part 172 of this Chapter is considered by the Coast Guard as meeting the flooding standard referenced in paragraph (a) of this section.

Dated: June 25, 1984.

L. N. Hein,

Captain, U.S. Coast Guard, Acting Chief,
Office of Merchant Marine Safety.

[FR Doc. 84-17250 Filed 6-27-84; 8:45 am]

BILLING CODE 4910-14-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 83-15; RM-4061]

Signal Coverage Requirements Over Community Business and Factory Areas; Correction

AGENCY: Federal Communications Commission.

ACTION: Final rule; correction and clarification.

SUMMARY: On June 1, the Commission released a *Report and Order* in MM Docket No. 83-15, concerning Signal Coverage Requirements (June 6, 1984; 49 FR 23345). Appendix A of that *Report and Order* inadvertently contained asterisks between subparagraphs (b)(2) and (c) of § 73.158 of the Commission's rules. This *Erratum* deletes those asterisks. Also, this *Erratum* clarifies licensing obligations for permittees of directional AM facilities. In the *Report and Order*, the Commission relieved permittees of directional AM facilities from taking certain field strength measurements in connection with their covering license application—specifically § 73.151(a)(3) of the Commission's rules. Permittees of directional AM facilities are still required to take field strength measurements in accordance with Sections 73.151 (a)(1), (a)(2) and (a)(4).

FOR FURTHER INFORMATION CONTACT: Scott Roberts, Mass Media Bureau, (202) 632-6302.

William J. Tricarico,

Secretary, Federal Communications Commission.

[FR Doc. 84-17114 Filed 6-27-84; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 1]

[OST Docket No. 1; Amdt. 1-195]

Organization and Delegation of Powers and Duties; Authority to Classify Information

AGENCY: Office of the Secretary, DOT.

ACTION: Final rule.

SUMMARY: This amendment delegates to officials of the Maritime Administration authority to classify information in the interest of national security; it also incorporates terminology used in the current Executive Order on classification and reflects organizational changes within DOT.

DATE: The effective date of this amendment is June 28, 1984.

FOR FURTHER INFORMATION CONTACT: Robert I. Ross, Office of the General Counsel, C-50, Department of Transportation, Washington, DC, (202) 426-4723.

SUPPLEMENTARY INFORMATION: Since this amendment relates to Departmental management, procedures, and practice, notice and comment on it are unnecessary and it may be made effective in fewer than thirty days after publication in the *Federal Register*.

The transfer of the Maritime Administration (MARAD) from the Department of Commerce to the Department of Transportation (August 3, 1981; Pub. L. 97-31) requires amendment of DOT's delegations to include certain officials of MARAD among those authorized to classify national security information. Furthermore, the currently-applicable Executive Order on classification of national security information is Executive Order 12356 (47 FR 14874; April 6, 1982). It uses different terminology from its predecessor, Executive Order 12065 (43 FR 28949; July 3, 1978). This amendment makes those changes in terminology within DOT's delegations. Finally, the titles of certain positions delegated authority to classify national security information have changed; those changes are made by this amendment.

List of Subjects in 49 CFR Part 1

Authority delegations (government agencies); Organization and functions (government agencies); Transportation Department.

PART 1—[AMENDED]

In consideration of the foregoing, § 1.65 of Part 1 of Title 49, Code of

Federal Regulations, is amended as follows:

§ 1.65 Authority to classify information.

(a) E.O. 12356 confers upon the Secretary of Transportation authority to originally classify information as Secret and Confidential with further authorization to delegate this authority. (No official of the Department of Transportation has authority to originally classify information as Top Secret.)

(b) The following delegations of this authority, which may not be redelegated, are hereby made:

(1) *Office of the Secretary (OST)*. Chief, Security Staff.

(2) *U.S. Coast Guard (USCG)*. The Commandant; Chief, Office of Operations.

(3) *Federal Aviation Administration (FAA)*. The Administrator; Director of Civil Aviation Security.

(4) *Maritime Administration (MARAD)*. The Administrator; Associate Administrator for Policy and Administration (Confidential only); Director, Office of International Activities (Confidential only); Chief, Division of National Security Plans (Confidential only).

(c) Authority of originally classify information as Secret or Confidential is delegated to the following officials to become effective automatically upon declaration of civil readiness level Initial Alert or the comparable military readiness level. If invoked, this authority is automatically terminated when both civil and military levels return to the level of Communications Watch or comparable readiness state.

(1) *OST*. Deputy Secretary; Assistant Secretary for Policy and International Affairs; Assistant Secretary for Administration.

(2) *USCG*. Vice Commandant; Chief of Staff; Commander, Atlantic Area; Commander, Pacific Area; Commanders, Coast Guard Districts; Commander, Coast Guard Activities, Europe; Chief, Intelligence and Security Division.

(3) *FAA*. Deputy Administrator; Directors, FAA Regions and Centers.

(4) *MARAD*. Deputy Administrator; Region Directors; Heads of ALFA, BRAVO, and CHARLIE Emergency Teams when activated.

(d) Although the delegations of authority are expressed above in terms of positions, the authority is personal and is vested only in the individual occupying the position. The authority may not be exercised "by direction of" a designated official. The formal appointment or assignment of an individual to one of the identified