

are not eligible to apply for HMA funds; however, an eligible Applicant or subapplicant may apply for funding on behalf of individuals, businesses, and non-profit organizations” to lines 69 to 72. This text clarifies how individual homeowners and businesses may receive further assistance.

- To address commenters’ requests to clarify that updates to mitigation plans are eligible for capability- and capacity-building funds, FEMA edited line 138 to read: “. . . develop or update mitigation priorities and plans.”

- To address commenters’ request for a sentence structure edit in lines 1596 to 162, FEMA reordered the sentence to end with the citation in order to emphasize that the requirement is to comply with environmental and historic preservation regulations.

- To address commenters’ request for a sentence structure edit in lines 163 to 164, FEMA reordered the sentence to end with the citation in order to clarify the intent is to require compliance with floodplain and other applicable land use laws and regulations.

- In lines 165–166, FEMA added: “Any FEMA directive or policy implementing the Federal Flood Risk Management Standard (FFRMS).”

- For commenters who asked FEMA to define the term “non-construction,” FEMA intended to mean capability- and capacity-building activities. FEMA replaced the term “non-construction” with “Capability- and capacity-building activities,” and moved the sentence to line 174. FEMA also added on lines 178–179 the sentence, “Already initiated or completed capability- and capacity-building activities are not eligible for funding.” FEMA also added a new sentence on lines 194–195 to completely address limits on eligibility: “Projects for which ground disturbance has already been initiated or completed are not eligible for funding.”

- For editorial purposes, FEMA edited lines 196–199 to read: “It must be cost-effective and designed to increase resilience and reduce risk of injuries, loss of life, and damage and destruction of property, including critical services and facilities.”

- In line 202, FEMA removed the phrase: “. . . through completion of a benefit cost analysis conducted in compliance with OMB Circular A–94.”

- To address commenters’ requests, lines 207–211 were edited to clarify that if a project is located in the Special Flood Hazard Area (SFHA), the jurisdiction in which the project is located must be participating in the National Flood Insurance Program (NFIP) and not on probation, suspension, or withdrawn. FEMA also

added in lines 215–218 the following clarification: “If there is a transfer of ownership of the structure, the requirement of obtaining and maintaining flood insurance for the life of the structure applies to the new owner and any successive owners.”

- In lines 219–220, FEMA added, “The project must comply with any FEMA directive or policy implementing the Federal Flood Risk Management Standard (FFRMS).”

- In response to commenters’ notes to clarify that eligible pre-award costs should be limited to development of the mitigation application, FEMA edited line 234 to add the words “the application for” after the words “the development of.”

- In order to address commenters’ requests to clarify the POP, and requests to allow for a longer POP, FEMA edited text in lines 249 to 253. FEMA deleted “effective” and “generally” as the beginning of the POP remains linked to the date of Federal award. FEMA also deleted “for highly complex projects” and changed language on lines 250–252 to: “The applicant may submit a request for a longer POP in the application for FEMA to review and approve.” This change gives FEMA broader flexibility to grant a request for a longer POP.

- In answer to commenters’ questions, FEMA edited lines 312 to 313 to confirm that the policy will remain intact after it is incorporated into guidance. FEMA deleted the following language: “at which point this policy will be superseded.”

- To add clarity, FEMA added subsections titled “Definitions” and “Monitoring and Evaluation” to the Additional Information section.

- FEMA also made minor, nonsubstantive corrections for grammar and clarity. FEMA is now issuing the final BRIC policy, which is available at <http://www.regulations.gov> and on the FEMA website at <https://www.fema.gov/grants/mitigation/building-resilient-infrastructure-communities>. The final policy will not have the force and effect of law and is not meant to bind the public in any way. The guidance document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies.

Under the Congressional Review of Agency Rulemaking Act (CRA), before guidance can take effect, the Federal agency promulgating the guidance must submit to Congress and to the Government Accountability Office (GAO) a copy of the guidance; a concise general statement describing the guidance, including whether it is “major” within the meaning of the CRA;

and the proposed effective date of the guidance.<sup>22</sup> A “major” guidance document is one that has an annual effect on the economy of \$100,000,000 or more; results in a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or has significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic and export markets. Pursuant to the CRA, the Office of Information and Regulatory Affairs designated this guidance as “major” within the meaning of the CRA as defined by 5 U.S.C. 804(2), as the annual effect on the economy will be over \$100,000,000 in transfers. As such FEMA has sent the final BRIC policy to the Congress and to GAO.

*Authority:* Sec. 1234, Pub. L. 115–254, 132 Stat. 3438.

**Deanne B. Criswell,**

*Administrator, Federal Emergency Management Agency.*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

[Docket ID FEMA–2022–0010; OMB No. 1660–0076]

### Agency Information Collection Activities: Proposed Collection; Comment Request; Hazard Mitigation Grant Program (HMGP) Application Reporting

**AGENCY:** Federal Emergency Management Agency, Department of Homeland Security.

**ACTION:** 60-Day notice of revision and request for comments.

**SUMMARY:** The Federal Emergency Management Agency, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public to take this opportunity to comment on a revision of a currently approved information collection. In accordance with the Paperwork

<sup>22</sup> See 5 U.S.C. 801–808. Although the statutory language only discusses rules, Congress has made it clear that the CRA covers guidance documents as well. See, e.g., “The Congressional Review Act (CRA): Frequently Asked Questions,” Congressional Research Service, at 7 (Jan. 14, 2020), available at <https://crsreports.congress.gov/product/pdf/R/R43992> (last accessed Aug. 31, 2020).

Reduction Act of 1995, this notice seeks comments regarding the requirements, grants management procedures, and implementation of grants awarded under the Hazard Mitigation Grant Program (HMGP), which is a post-disaster program that contributes funds toward the cost of hazard mitigation activities in order to reduce the risk of future damage, hardship, loss or suffering in any area affected by a major disaster.

**DATES:** Comments must be submitted on or before April 26, 2022.

**ADDRESSES:** Submit comments at [www.regulations.gov](http://www.regulations.gov) under Docket ID FEMA-2022-0010. Follow the instructions for submitting comments.

All submissions received must include the agency name and Docket ID, and will be posted, without change, to the Federal eRulemaking Portal at <http://www.regulations.gov>, and will include any personal information you provide. Therefore, submitting this information makes it public. You may wish to read the Privacy and Security Notice that is available via a link on the homepage of [www.regulations.gov](http://www.regulations.gov).

**FOR FURTHER INFORMATION CONTACT:** Jennie Orenstein, Chief, HMA Grants Policy Branch, at (202) 212-4071 or [jennie.orenstein@fema.dhs.gov](mailto:jennie.orenstein@fema.dhs.gov). You may contact the Information Management Division for copies of the proposed collection of information at email address: [FEMA-Information-Collections-Management@fema.dhs.gov](mailto:FEMA-Information-Collections-Management@fema.dhs.gov).

**SUPPLEMENTARY INFORMATION:**

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. 5170c, established the Hazard Mitigation Grant Program (HMGP). Grant requirements and grants management procedures of the program are outlined in 44 CFR part 206 Subpart N, and 2 CFR parts 200 and 3002. The Federal Emergency Management Agency (FEMA) administers the HMGP, and Recipients implement the grants under the HMGP per grant agreement and rules and regulations. The HMGP is a post-disaster program that contributes funds toward the cost of hazard mitigation activities in order to reduce the risk of future damage, hardship, loss or suffering in any area affected by a major disaster. Section 102 of the Stafford Act, 42 U.S.C. 5122(4), defines a “state” as any state of the United States, the District of Columbia, Puerto Rico, the Virgin Islands, Guam, American Samoa, and the commonwealth of the Northern Mariana Islands. “Recipient”, as provided in 2 CFR 200, means a non-Federal entity that receives a Federal award directly from a Federal awarding

agency to carry out an activity under a Federal program, or an Indian tribal government that chooses to act as a recipient rather than as a subrecipient. “Subrecipient” refers to a non-Federal entity that receives a subaward from a pass-through entity to carry out part of a Federal program; but does not include an individual that is a beneficiary of such program. A subrecipient may also be a recipient of other Federal awards directly from a Federal awarding agency. The term “Indian tribal government” is defined in Section 102 of the Stafford Act, 42 U.S.C. 5122(6), as the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994. In addition, the Sandy Recovery Improvement Act of 2013 (Pub. L. 113-2) amended the Stafford Act to allow the Chief Executive of a federally recognized Indian tribe to make a direct request to the President of the United States for a major disaster or emergency declaration codified under 42 U.S.C. 5170(b).”

**Collection of Information**

*Title:* Hazard Mitigation Grant Program (HMGP) Application and Reporting.

*Type of Information Collection:* Revision of a currently approved information collection.

*OMB Number:* OMB No. 1660-0076.

*FEMA Forms:* FEMA Form FF-206-FY-22-154 (formerly 009-0-111A), Quarterly Progress Reports.

*Abstract:* FEMA administers the Hazard Mitigation Grant Program, which is a post-disaster program that contributes funds toward the cost of hazard mitigation activities in order to reduce the risk of future damage hardship, loss or suffering in any area affected by a major disaster. FEMA uses applications to provide financial assistance in the form of grant awards and, through grantee quarterly reporting, monitor grantee project activities and expenditure of funds.

*Affected Public:* State, local or Tribal Government.

*Estimated Number of Respondents:* 236.

*Estimated Number of Responses:* 3,280.

*Estimated Total Annual Burden Hours:* 38,124.

*Estimated Total Annual Respondent Cost:* \$2,295,447.

*Estimated Respondents' Operation and Maintenance Costs:* \$0.

*Estimated Respondents' Capital and Start-Up Costs:* \$0.

*Estimated Total Annual Cost to the Federal Government:* \$1,953,915

**Comments**

Comments may be submitted as indicated in the **ADDRESSES** caption above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**Maile Arthur,**

*Deputy Director, Information Management Division, Office of the Chief Administrative Officer, Mission Support, Federal Emergency Management Agency, Department of Homeland Security.*

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**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-7056-N-04]

**60-Day Notice of Proposed Information Collection: Supplement to Application for Federally Assisted Housing; OMB Control No.: 2502-0581**

**AGENCY:** Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

**ACTION:** Notice.

**SUMMARY:** HUD is seeking approval from the Office of Management and Budget (OMB) for the information collection described below. In accordance with the Paperwork Reduction Act, HUD is requesting comment from all interested parties on the proposed collection of information. The purpose of this notice is to allow for 60 days of public comment.

**DATES:** *Comments Due Date:* April 26, 2022.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB