

“a. Revising the section” and ending with the phrase “read as follows:” are corrected to read as follows:

“Section 422.2268 is revised to read as follows:”

§ 423.120 [Corrected]

■ 5. On page 16738, in the third column, sixth full paragraph (§ 423.120(b)(5)(C)(2)), line 7, the phrase “423.578; and” is corrected to read “423.578.”.

§ 423.160 [Corrected]

■ 6. On page 16743, first column, eighth full paragraph (§ 423.160(b)(1)(iv)), line 1, the date “October 31, 2019” is corrected to read “December 31, 2019”.

§ 423.2260 [Corrected]

■ 7. Beginning on page 16754, in the third column fourth full paragraph, § 423.2260 is corrected to read as follows:”

§ 423.2260 Definitions.

As used in this subpart—

Communications means activities and use of materials to provide information to current and prospective enrollees.

Communication materials means all information provided to current and prospective enrollees. Marketing materials are a subset of communication materials.

Marketing means activities and use of materials that meet the following:

(1) Conducted by the MA organization or downstream entities.

(2) Intended to draw a beneficiary’s attention to a MA plan or plans.

(3) Intended to influence a beneficiary’s decision-making process when selecting a MA plan for enrollment or deciding to stay enrolled in a plan (that is, retention-based marketing).

Marketing materials—(1) Include, but are not limited to following:

(i) Materials such as brochures; posters; advertisements in media such as newspapers, magazines, television, radio, billboards, or the internet; and social media content.

(ii) Materials used by marketing representatives such as scripts or outlines for telemarketing or other presentations.

(iii) Presentation materials such as slides and charts.

(2) *Marketing materials* exclude materials that—

(i) Do not include information about the plan’s benefit structure or cost sharing;

(ii) Do not include information about measuring or ranking standards (for example, star ratings);

(iii) Mention benefits or cost sharing, but do not meet the definition of marketing in this section;

(iv) Are required under § 423.128, unless otherwise specified by CMS based on their use or purpose; or

(v) Are specifically designated by CMS as not meeting the definition of the marketing definition based on their use or purpose.”

§ 423.2430 [Corrected]

■ 8. On page 16756, first column, amendatory instruction 113b, line 1, the words “republishing the” are corrected to read “adding a new”.

Dated: June 11, 2018.

Ann C. Agnew,

*Executive Secretary to the Department,
Department of Health and Human Services.*

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DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

[Docket ID FEMA–2018–0002; Internal Agency Docket No. FEMA–8533]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP) that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If 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 not occur and a notice of this will be provided by publication in the **Federal Register** on a subsequent date. Also, information identifying the current participation status of a community can be obtained from FEMA’s Community Status Book (CSB). The CSB is available at <https://www.fema.gov/national-flood-insurance-program-community-status-book>.

DATES: The effective date of each community’s scheduled suspension is

the third date (“Susp.”) listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact Adrienne L. Sheldon, PE, CFM, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW, Washington, DC 20472, (202) 212–3966.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase Federal flood insurance that is not otherwise generally available from private insurers. In return, communities agree to adopt and administer local floodplain 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 the sale of NFIP flood insurance 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. 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. We recognize that 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 to be eligible for the sale of NFIP flood insurance. A notice withdrawing the suspension of such communities will be published in the **Federal Register**.

In addition, FEMA publishes a Flood Insurance Rate Map (FIRM) that identifies the Special Flood Hazard Areas (SFHAs) in these communities. 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 be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified FIRM for 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 procedures under 5 U.S.C. 553(b), are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. FEMA has determined that the community suspension(s) included in this rule is a non-discretionary action and therefore the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) does not apply.

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, Section 1315, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

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

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.
Accordingly, 44 CFR part 64 is amended as follows:

PART 64—[AMENDED]

■ 1. The authority citation for part 64 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.

§ 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 SFHAs
Region II				
New Jersey:				
Little Silver, Borough of, Monmouth County.	340305	September 29, 1972, Emerg; February 1, 1978, Reg; June 20, 2018, Susp.	June 20, 2018 ..	June 20, 2018.
Long Branch, City of, Monmouth County.	340307	March 17, 1972, Emerg; May 5, 1976, Reg; June 20, 2018, Susp.	do	Do.
Middletown, Township of, Monmouth County.	340313	May 20, 1974, Emerg; February 15, 1984, Reg; June 20, 2018, Susp.	do	Do.
Monmouth Beach, Borough of, Monmouth County.	340315	July 30, 1971, Emerg; May 16, 1977, Reg; June 20, 2018, Susp.	do	Do.
Oceanport, Borough of, Monmouth County.	340320	July 14, 1972, Emerg; February 16, 1977, Reg; June 20, 2018, Susp.	do	Do.
Shrewsbury, Borough of, Monmouth County.	340326	July 3, 1975, Emerg; August 1, 1979, Reg; June 20, 2018, Susp.	do	Do.
Region IV				
Florida:				
Orlando, City of, Orange County	120186	August 30, 1974, Emerg; September 3, 1980, Reg; June 20, 2018, Susp.	do	Do.
North Carolina:				
Autryville, Town of, Sampson County ...	370358	September 29, 1980, Emerg; February 1, 1987, Reg; June 20, 2018, Susp.	do	Do.
Beulaville, Town of, Duplin County	370547	N/A, Emerg; December 29, 2008, Reg; June 20, 2018, Susp.	do	Do.
Clayton, Town of, Johnston County	370139	April 2, 1975, Emerg; April 1, 1982, Reg; June 20, 2018, Susp.	do	Do.
Clinton, City of, Sampson County	370263	July 2, 1975, Emerg; July 2, 1975, Reg; June 20, 2018, Susp.	do	Do.
Cumberland County, Unincorporated Area.	370076	November 3, 1975, Emerg; February 17, 1982, Reg; June 20, 2018, Susp.	do	Do.
Duplin County, Unincorporated Area	370083	November 29, 1979, Emerg; July 4, 1989, Reg; June 20, 2018, Susp.	do	Do.
Four Oaks, Town of, Johnston County	370502	N/A, Emerg; September 24, 2002, Reg; June 20, 2018, Susp.	June 20, 2018 ..	June 20, 2018.
Goldsboro, City of, Wayne County	370255	May 29, 1975, Emerg; June 1, 1982, Reg; June 20, 2018, 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 SFHAs
Pine Level, Town of, Johnston County	370505	N/A, Emerg; June 22, 2005, Reg; June 20, 2018, Susp.	do	Do.
Sampson County, Unincorporated Area	370220	March 29, 1982, Emerg; July 16, 1991, Reg; June 20, 2018, Susp.	do	Do.
Wallace, Town of, Duplin and Pender Counties.	370084	April 3, 1975, Emerg; April 2, 1986, Reg; June 20, 2018, Susp.	do	Do.
Warsaw, Town of, Duplin County	370633	December 29, 2005, Emerg; July 17, 2006, Reg; June 20, 2018, Susp.	do	Do.
Wayne County, Unincorporated Area ...	370254	N/A, Emerg; September 16, 1991, Reg; June 20, 2018, Susp.	do	Do.

Region V

Ohio:				
Fort Jennings, Village of, Putnam County.	390468	September 26, 1978, Emerg; March 9, 1984, Reg; June 20, 2018, Susp.	do	Do.
Gilboa, Village of, Putnam County	390469	June 20, 1979, Emerg; May 16, 1995, Reg; June 20, 2018, Susp.	do	Do.
Glandorf, Village of, Putnam County	390470	January 16, 1975, Emerg; March 9, 1984, Reg; June 20, 2018, Susp.	do	Do.
Kalida, Village of, Putnam County	390471	May 9, 1978, Emerg; October 5, 1984, Reg; June 20, 2018, Susp.	do	Do.
Ottawa, Village of, Putnam County	390472	December 27, 1974, Emerg; February 15, 1979, Reg; June 20, 2018, Susp.	do	Do.
Ottoville, Village of, Putnam County	390473	June 2, 1975, Emerg; August 1, 1987, Reg; June 20, 2018, Susp.	do	Do.
Pandora, Village of, Putnam County	390474	September 5, 1974, Emerg; November 1, 1978, Reg; June 20, 2018, Susp.	do	Do.
Putnam County, Unincorporated Area ..	390465	April 18, 1984, Emerg; December 5, 1990, Reg; June 20, 2018, Susp.	do	Do.

Region X

Oregon:				
Cannon Beach, City of, Clatsop County	410029	March 6, 1974, Emerg; September 1, 1978, Reg; June 20, 2018, Susp.	June 20, 2018 ..	June 20, 2018.
Clatsop County, Unincorporated Area ..	410027	February 7, 1974, Emerg; July 3, 1978, Reg; June 20, 2018, Susp.	do	Do.
Gearhart, City of, Clatsop County	410030	April 11, 1974, Emerg; May 15, 1978, Reg; June 20, 2018, Susp.	do	Do.
Seaside, City of, Clatsop County	410032	March 25, 1974, Emerg; September 5, 1979, Reg; June 20, 2018, Susp.	do	Do.
Warrenton, City of, Clatsop County	410033	July 16, 1975, Emerg; May 15, 1978, Reg; June 20, 2018, Susp.	do	Do.
Washington: San Juan County, Unincorporated Area.	530149	December 8, 1986, Emerg; March 1, 1991, Reg; June 20, 2018, Susp.	do	Do.

-do- = Ditto.

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

Dated: June 4, 2018.

Eric Letvin,

Deputy Assistant Administrator for Mitigation, Federal Insurance and Mitigation Administration, Department of Homeland Security, Federal Emergency Management Agency.

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