

PART 2—FREEDOM OF INFORMATION ACT; RECORDS AND TESTIMONY

■ 1. The authority citation for part 2 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a, 553; 31 U.S.C. 3717; 43 U.S.C. 1460, 1461.

Subpart B—How to Make a Request

■ 2. In § 2.4, revise paragraph (e) to read as follows:

§ 2.4 Does where you send your request affect its processing?

* * * * *

(e) If your request is received by a bureau that believes it is not the appropriate bureau to process your request, the bureau that received your request will attempt to contact you (if possible, via telephone or email) to confirm that you deliberately sent your request to that bureau for processing. If you do not confirm this, the bureau will deem your request misdirected and route the misdirected request to the appropriate bureau to respond under the basic time limit outlined in § 2.17.

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Subpart D—Timing of Responses to Requests

■ 3. In § 2.15, add paragraph (g) to read as follows:

§ 2.15 What is multitask processing and how does it affect your request?

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(g) You may track the status of your request, including its estimated processing completion date, at <https://foia.doi.gov/requeststatus/>.

§ 2.19 [Amended]

■ 4. In § 2.19(b)(2), add the words “, and notify you of your right to seek dispute resolution from the Office of Government Information Services (OGIS)” after the words “you and the bureau”.

Subpart E—Responses to Requests

■ 5. Amend § 2.21(a) by removing the second sentence and adding two sentences in its place to read as follows:

§ 2.21 How will the bureau respond to requests?

(a) * * * The bureau’s written response will include a statement about the services offered by its FOIA Public Liaison. The bureau’s written response will also include a statement about the services offered by OGIS, using standard language that can be found at: <https://www.doi.gov/foia/news/guidance.>

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§ 2.24 [Amended]

■ 6. Amend § 2.24 by:

- a. In paragraph (b)(3), adding the words “, along with a statement that the bureau reasonably foresees that disclosure would harm an interest protected by the applied exemption(s) or disclosure is prohibited by law” after the words “or in part”; and
- b. In paragraph (b)(4), adding the word “including” after the word “unless” and adding the words “and the bureau explains this harm to you” after the words “withhold the records”.

Subpart G—Fees

■ 7. In § 2.37, revise paragraph (f) to read as follows:

§ 2.37 What general principles govern fees?

* * * * *

(f) If the bureau does not comply with any time limit in the FOIA:

(1) Except as provided in paragraph (f)(2) of this section, the bureau cannot assess any search fees (or, if you are in the fee category of a representative of the news media or an educational and noncommercial scientific institution, duplication fees).

(2)(i) If the bureau has determined that unusual circumstances apply (as the term is defined in § 2.70) and the bureau provided you a timely written notice to extend the basic time limit in accordance with § 2.19, the noncompliance is excused for an additional 10 workdays.

(ii) If the bureau has determined that unusual circumstances apply and more than 5,000 pages are necessary to respond to the request, the noncompliance is excused if the bureau has provided you a timely written notice in accordance with § 2.19 and has discussed with you via written mail, email, or telephone (or made not less than 3 good-faith attempts to do so) how you could effectively limit the scope of the request.

(iii) If a court has determined that exceptional circumstances exist (as that term is defined in § 2.70), the noncompliance is excused for the length of time provided by the court order.

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§ 2.39 [Amended]

■ 8. In § 2.39, remove the paragraph (a) designation and remove paragraph (b).

Subpart H—Administrative Appeals**§ 2.58 [Amended]**

■ 9. In § 2.58(a) and (b), remove the number “30” and add in its place the number “90”.

Subpart I—General Information**§ 2.66 [Amended]**

■ 10. In § 2.66(d), remove the Web site address “<http://www.doi.gov/foia/servicecenters.cfm>” and add in its place the Web site address “<https://www.doi.gov/foia/servicecenters>”.

[FR Doc. 2016–30601 Filed 12–19–16; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY**Federal Emergency Management Agency****44 CFR Part 64**

[Docket ID FEMA–2016–0002; Internal Agency Docket No. FEMA–8461]

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 Patricia Suber, Federal Insurance and Mitigation Administration, Federal Emergency Management Agency, 400 C Street SW., Washington, DC 20472, (202) 646–4149.

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 for more than a year on FEMA's initial 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 VI				
Texas:				
Baytown, City of, Chambers and Harris Counties.	485456	July 17, 1970, Emerg; July 1, 1974, Reg; January 6, 2017, Susp.	January 6, 2017	January 6, 2017.
Deer Park, City of, Harris County	480291	February 22, 1974, Emerg; August 15, 1980, Reg; January 6, 2017, Susp.	*do	Do.
El Lago, City of, Harris County	485466	August 14, 1970, Emerg; July 2, 1971, Reg; January 6, 2017, Susp.	.....do	Do.
Galena Park, City of, Harris County ..	480293	November 29, 1974, Emerg; November 2, 1982, Reg; January 6, 2017, Susp.	.....do	Do.
Harris County, Unincorporated Areas	480287	May 14, 1970, Emerg; May 26, 1970, Reg; January 6, 2017, Susp.	.....do	Do.
Houston, City of, Fort Bend, Harris and Montgomery Counties.	480296	September 14, 1973, Emerg; December 11, 1979, Reg; January 6, 2017, Susp.	.....do	Do.
Jacinto City, City of, Harris County ...	480299	September 4, 1975, Emerg; September 2, 1981, Reg; January 6, 2017, 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
La Porte, City of, Harris County	485487	August 28, 1970, Emerg; February 12, 1971, Reg; January 6, 2017, Susp.	.....do	Do.
Morgans Point, City of, Harris County	480305	July 7, 1975, Emerg; December 1, 1983, Reg; January 6, 2017, Susp.	.....do	Do.
Nassau Bay, City of, Harris County ...	485491	July 24, 1970, Emerg; November 13, 1970, Reg; January 6, 2017, Susp.	.....do	Do.
Pasadena, City of, Harris County	480307	July 2, 1971, Emerg; May 26, 1970, Reg; January 6, 2017, Susp.	.....do	Do.
Pearland, City of, Brazoria, Fort Bend and Harris Counties.	480077	December 19, 1973, Emerg; July 5, 1984, Reg; January 6, 2017, Susp.	.....do	Do.
Seabrook, City of, Galveston and Harris Counties.	485507	May 29, 1970, Emerg; April 23, 1971, Reg; January 6, 2017, Susp.	.....do	Do.
Shoreacres, City of, Harris County	485510	September 11, 1970, Emerg; November 20, 1970, Reg; January 6, 2017, Susp.	.....do	Do.
South Houston, City of, Harris County	480311	April 17, 1975, Emerg; March 18, 1987, Reg; January 6, 2017, Susp.	.....do	Do.
Taylor Lake Village, City of, Harris County.	485513	August 28, 1970, Emerg; November 13, 1970, Reg; January 6, 2017, Susp.	.....do	Do.
Webster, City of, Harris County	485516	October 30, 1970, Emerg; May 19, 1972, Reg; January 6, 2017, Susp.	.....do	Do.

*do = Ditto.

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

Dated: December 12, 2016.

Michael M. Grimm,

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

[FR Doc. 2016–30533 Filed 12–19–16; 8:45 am]

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration on Aging

45 CFR Part 1324

RIN 0985–AA08

State Long-Term Care Ombudsman Programs

AGENCY: Administration on Aging, Administration for Community Living, HHS.

ACTION: Final rule; correction and correcting amendments.

SUMMARY: In the February 11, 2015 *Federal Register*, we published a final rule in order to implement provisions of the Older Americans Act (the Act) regarding States' Long-Term Care Ombudsman programs (Ombudsman programs). The effective date was July 1, 2016. This correcting amendment corrects a limited number of technical and typographical errors identified in the February 11, 2015 final rule.

DATES: This correcting document is effective December 19, 2016.

FOR FURTHER INFORMATION CONTACT:

Becky Kurtz, Director, Office of Long-Term Care Ombudsman Programs, Administration for Community Living, Administration on Aging, Atlanta Federal Center, 61 Forsyth Street SW., Suite 5M69, Atlanta, Georgia 30303–8909, 404–562–7592.

SUPPLEMENTARY INFORMATION:

I. Background

In FR Doc. 2015–01914 of February 11, 2015 (80 FR 7704), the final rule entitled “State Long-Term Care Ombudsman Programs,” there were a number of technical and typographical errors that are identified and corrected in this correcting amendment. On July 1, 2016, those provisions of the final rule which had been originally codified as 45 CFR part 1327 were re-numbered as 45 CFR parts 1324 in FR Doc. 2016–13138 (81 FR 35644). The remaining provisions (originally codified as amendments to 45 CFR part 1321) remain unchanged. All of the provisions below refer to errors found in 45 CFR part 1324.

II. Summary of Changes

A. Summary of Changes in the Regulations Text

1. On page 7765, in the regulations text for § 1324.19(b)(5), we erroneously used the word “paragraph” instead of “through.” To correct this error, we have removed the word “paragraph” and replaced it with the word “through.”

2. On page 7765, in the regulations text for § 1324.19(b)(7)(i), we erroneously included the term “has no resident representative.” Since this situation (regarding the authority for the Ombudsman program to make a referral when a resident has “no resident representative”) is not needed in this paragraph and already provided for in § 1324.19(b)(6)(ii), the redundancy of this provision was in error. We believe elimination of this language will not change the requirements of this provision and will lessen confusion regarding its implementation.

The corrections to the errors summarized in this section appear in the regulations text of this correcting amendment.

III. Waiver of Notice and Comment Procedure and Delay in Effective Date

Under 5 U.S.C. 553(b) of the Administrative Procedure Act (APA), the agency is required to publish a notice of the proposed rule in the *Federal Register* before the provisions of a rule take effect. However, under section 553(b)(B) of the APA, an agency may dispense with normal rule-making requirements for good cause if the agency makes a finding that the notice and comment process is impracticable, unnecessary, or contrary to the public interest. We find that there is good cause to waive such requirements. We find that notice and comment is unnecessary because we are not altering our policies; rather, we are simply implementing correctly the policies that