

arising from improper payments provided to disaster survivors for disasters declared between August 28, 2005, and December 31, 2010.

**DATES:** FEMA's waiver procedures are effective February 13, 2012.

**ADDRESSES:** "FEMA Directive: Waiving Debts Pursuant to the Disaster Assistance Recoupment Fairness Act of 2011" can be viewed at [www.regulations.gov](http://www.regulations.gov) under Docket ID FEMA-2012-0006. Go to [www.regulations.gov](http://www.regulations.gov), click on "Advanced Search," enter "FEMA-2012-0006" in the "By Docket ID" box, and click "Search." A hard copy may be inspected at FEMA, Office of Chief Counsel, Room 835, 500 C Street SW., Washington, DC 20472.

**FOR FURTHER INFORMATION CONTACT:**

Keith Turi, Federal Emergency Management Agency, Department of Homeland Security, 501 C Street SW., Washington, DC, telephone (202) 646-3642 (this is not a toll-free number). If you have any questions regarding a Notice of Debt or recoupment action, please contact the Recoupment Hotline at 1-800-816-1122. If you have a speech disability or hearing loss and use a TTY, call 1-800-462-7585 directly; if you use 711 or Video Relay Service (VRS), call 800-816-1122.

**SUPPLEMENTARY INFORMATION:**

Pursuant to the Debt Collection Improvement Act of 1996 (Pub. L. 104-134) and the Improper Payments Elimination and Recovery Act of 2010 (Pub. L. 111-204), as implemented by 31 CFR Part 901, 31 CFR 902.2, and 6 CFR Part 11, FEMA is required to recover funds improperly paid (overpayments). On March 15, 2011, FEMA published a notice in the **Federal Register** (76 FR 14039) that announced FEMA's recoupment process for collecting overpayments (debts) made in delivering temporary housing and other disaster-related individual assistance. This process provides individuals an opportunity to appeal a FEMA debt determination and, in some cases, to request an oral hearing.

Some members of Congress expressed concern about the fairness of FEMA collecting overpayments from disaster survivors when the overpayment was the result of FEMA error and where a significant amount of time had elapsed before FEMA provided actual notice of the debt. As a result of these concerns, Congress passed, and the President signed, the Disaster Assistance Recoupment Fairness Act of 2011 (Pub. L. 112-74) (DARFA). Pursuant to DARFA, FEMA may determine to waive a debt arising from improper payments provided to disaster survivors for

disasters declared between August 28, 2005 and December 31, 2010 if:

- (1) The debt does not involve fraud, the presentation of a false claim, or misrepresentation by the debtor or any party having an interest in the claim; and
- (2) The assistance was distributed based on FEMA error; and
- (3) There was no fault on behalf of the debtor; and
- (4) The collection of the debt would be "against equity and good conscience."

(5) In addition, if all four conditions above are met but the debtor's Adjusted Gross Income (AGI) is greater than \$90,000, FEMA may approve no more than a partial waiver.

FEMA may determine it would be against equity and good conscience to collect a debt where collection would cause serious financial hardship; where the debtor has spent the overpayment for the reason it was provided or other disaster related needs and has no present ability to reclaim the funds; more than 36 months have elapsed between the time FEMA awarded the assistance and the date final notification was provided to the debtor of the debt; and/or other personal circumstances exist where collection would be unconscionable.

If FEMA determines to waive a debt pursuant to the authority provided in DARFA, the debt will cease to exist, FEMA will cease further debt collection activity with respect to the debt waived, and reimburse any payments or fees previously paid on the debt. If FEMA determines that a debt is not waived, the debtor will be notified of payment options.

DARFA is a time-limited authority that only applies to very particular debts arising from FEMA individual assistance overpayments for specific disaster events. It is thus extraordinary authority and the waiver process that results from it does not apply to debts arising from delivery of any other FEMA or other Federal assistance program.

**Authority:** Pub. L. 112-74; 31 U.S.C. 3701 *et seq.*

Dated: February 7, 2012.

**W. Craig Fugate,**

*Administrator, Federal Emergency Management Agency.*

[FR Doc. 2012-3208 Filed 2-10-12; 8:45 am]

**BILLING CODE 9110-23-P**

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

[Docket No. FR-5603-N-09]

**Notice of Submission of Proposed Information Collection to OMB CDBG Urban County/New York Towns Qualification/Requalification Process**

**AGENCY:** Office of the Chief Information Officer, HUD.

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

The UC/New York Towns qualification/requalification process obtains information yearly to establish the participating population used to calculate the final grant CDBG allocations for all CDBG grantees for the next fiscal year.

**DATES:** *Comments Due Date: March 14, 2012.*

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval Number (2506-0170) and should be sent to: HUD Desk Officer, Office of Management and Budget, New Executive Office Building, Washington, DC 20503; fax: 202-395-5806. Email: [OIRA\\_Submission@omb.eop.gov](mailto:OIRA_Submission@omb.eop.gov) fax: 202-395-5806.

**FOR FURTHER INFORMATION CONTACT:**

Colette Pollard, Reports Management Officer, QDAM, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410; email [Colette.Pollard@hud.gov](mailto:Colette.Pollard@hud.gov) or telephone (202) 402-3400. This is not a toll-free number. Copies of available documents submitted to OMB may be obtained from Ms. Pollard.

**SUPPLEMENTARY INFORMATION:** This notice informs the public that the Department of Housing and Urban Development has submitted to OMB a request for approval of the Information collection described below. This notice is soliciting comments from members of the public and affecting agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the

burden of the proposed collection of information; (3) Enhance the quality, utility, and clarity of the information to be collected; and (4) Minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology,

e.g., permitting electronic submission of responses.

This notice also lists the following information:

*Title Of Proposal:* CDBG Urban County/New York Towns Qualification/Requalification Process.

*OMB Approval Number:* 2506–0170.

*Form Numbers:* None.

*Description of the Need for the Information and its Proposed Use:* The

UC/New York Towns qualification/requalification process obtains information yearly to establish the participating population used to calculate the final grant CDBG allocations for all CDBG grantees for the next fiscal year.

*Frequency of Submission:* Monthly, Annually.

|                        | Number of<br>respondents | × | Annual<br>responses | × | Hours per<br>response | = | Burden hours |
|------------------------|--------------------------|---|---------------------|---|-----------------------|---|--------------|
| Reporting Burden ..... | 183                      |   | 0.344               |   | 62.857                |   | 3,960        |

*Total Estimated Burden Hours:* 3,960.  
*Status:* Revision of a currently approved collection.

**Authority:** Section 3507 of the Paperwork Reduction Act of 1995, 44 U.S.C. 35, as amended.

Dated: February 7, 2012.

**Colette Pollard,**

*Departmental Reports Management Officer,  
Office of the Chief Information Officer.*

[FR Doc. 2012–3264 Filed 2–10–12; 8:45 am]

**BILLING CODE 4210–67–P**

## DEPARTMENT OF THE INTERIOR

### Fish and Wildlife Service

[FWS–R4–ES–2012–N031; 40120–1112–0000–F2]

#### Receipt of Applications for Endangered Species Permits

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Notice.

**SUMMARY:** We, the U.S. Fish and Wildlife Service, invite the public to comment on the following applications to conduct certain activities with endangered species. With some exceptions, the Endangered Species Act (ESA) prohibits activities with listed species unless a Federal permit is issued that allows such activities. The ESA requires that we invite public comment before issuing these permits.

**DATES:** We must receive written data or comments on the applications at the address given below, by March 14, 2012.

**ADDRESSES:** Documents and other information submitted with the applications are available for review, subject to the requirements of the Privacy Act and Freedom of Information Act, by any party who submits a written request for a copy of such documents to the following office within 30 days of the date of publication of this notice:

U.S. Fish and Wildlife Service, 1875 Century Boulevard, Suite 200, Atlanta, GA 30345 (Attn: Cameron Shaw, Permit Coordinator).

**FOR FURTHER INFORMATION CONTACT:** Cameron Shaw, telephone (904) 731–3191; facsimile (904) 731–3045.

**SUPPLEMENTARY INFORMATION:** The public is invited to comment on the following applications for permits to conduct certain activities with endangered and threatened species pursuant to section 10(a)(1)(A) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*) and our regulations in the Code of Federal Regulations (CFR) at 50 CFR part 17. This notice is provided under section 10(c) of the Act.

If you wish to comment, you may submit comments by any one of the following methods. You may mail comments to the Fish and Wildlife Service's Regional Office (see **ADDRESSES** section) or via electronic mail (email) to: [permitsR4ES@fws.gov](mailto:permitsR4ES@fws.gov). Please include your name and return address in your email message. If you do not receive a confirmation from the Fish and Wildlife Service that we have received your email message, contact us directly at the telephone number listed above (see **FOR FURTHER INFORMATION CONTACT** section). Finally, you may hand deliver comments to the Fish and Wildlife Service office listed above (see **ADDRESSES** section).

Before including your address, telephone number, email address, or other personal identifying information in your comments, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you can ask us in your comments to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so.

#### Permit Application Number: TE–56762A

*Applicant:* University of Arkansas, Pine Bluff, Arkansas

Applicant requests authorization to take (capture, transport, temporarily house, conduct captive breeding, release and monitor populations), the yellowcheek darter (*Etheostoma moorei*). This activity will be conducted on the Little Red River in Arkansas and at the University of Arkansas at Pine Bluff.

#### Permit Application Number: TE–58322A

*Applicant:* Brent Mock, Nashville, Tennessee

Applicant requests authorization for non-lethal take of Indiana bats (*Myotis sodalist*) and gray bats (*Myotis grisescens*) for the purpose of conducting presence/absence surveys and collecting scientific data. This work will be conducted throughout the ranges of these species.

#### Permit Application Number: TE–58442A

*Applicant:* James Cox, Tallahassee, Florida

Applicant requests authorization to take Florida grasshopper sparrows (*Ammodramus savannarum floridanus*) by netting, handling, marking and releasing for the purpose of conducting scientific research in Osceola and Okeechobee Counties, Florida.

#### Permit Application Number: TE–63270A

*Applicant:* Dr. Robert Reynolds, Quincy, Massachusetts

Applicant requests authorization to take Puerto Rican boa (*Epicrates inornatus*) and Virgin Island boa (*Epicrates monensis granti*) by capturing, handling, collecting blood and tissue samples and releasing for the purpose of conducting scientific research in the Mato del Platano Nature Reserve, Puerto Rico.

#### Permit Application Number: TE–14097A

*Applicant:* Daniel Judy, Mount Dora, Florida

Applicant requests amendment of permit to allow for the take of Virginia big-eared bats (*Corynorhinus townsendii virginianus*) and Ozark big-eared bats (*Corynorhinus townsendii ingens*) while conducting presence/absence surveys. Applicant further requests authorization to conduct such activities in Oklahoma and Kansas.