

Dated: August 31, 2010.

**David J. Kaufman,**

*Director, Office of Policy and Program Analysis, Federal Emergency Management Agency.*

[FR Doc. 2010-22587 Filed 9-9-10; 8:45 am]

**BILLING CODE 9111-23-P**

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

[Docket ID FEMA-2010-0056]

#### Recovery Policy RP9523.12, Debris Operation—Hand-Loaded Trucks and Trailers

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice of availability.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) is issuing Recovery Policy RP9523.12, *Debris Operation—Hand-Loaded Trucks and Trailers*.

**DATES:** This policy is effective April 12, 2010.

**ADDRESSES:** This final policy is available at <http://www.regulations.gov> and on FEMA's Web site at <http://www.fema.gov>. You may also view a hard copy of the final policy at the Office of Chief Counsel, Federal Emergency Management Agency, Room 835, 500 C Street, SW., Washington, DC 20472-3100.

**FOR FURTHER INFORMATION CONTACT:** Preston Wilson, Federal Emergency Management Agency, 500 C Street, SW., Washington, DC 20472-3100, 202-646-1648, or via e-mail at [Preston.Wilson@dhs.gov](mailto:Preston.Wilson@dhs.gov).

**SUPPLEMENTARY INFORMATION:** This policy establishes procedures for reimbursing applicants for eligible debris removal accomplished with trucks and trailers loaded physically by hand, rather than with mechanical equipment.

FEMA previously issued this policy on May 1, 2006. FEMA reviewed this policy according to the established schedule for FEMA Public Assistance policies. Therefore, FEMA requested review and comment on the draft policy in September 2009. FEMA did not receive substantive comments on the policy. This policy does not implement any major changes to the previously effective policy dated May 1, 2006. However, this policy does state that debris monitors should not reduce the capacity of each hand-loaded truck or trailer for debris types that mechanical

loading methods cannot significantly reduce volumes.

**Authority:** 42 U.S.C. 5121-5207; 44 CFR part 206.

Dated: August 31, 2010.

**David J. Kaufman,**

*Director, Office of Policy and Program Analysis, Federal Emergency Management Agency.*

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## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

[Docket ID FEMA-2010-0055]

#### Recovery Policy, RP 9523.6, Mutual Aid Agreements for Public Assistance and Fire Management Assistance

**AGENCY:** Federal Emergency Management Agency, DHS.

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Federal Emergency Management Agency (FEMA) is accepting comments on Recovery Policy, RP 9523.6, *Mutual Aid Agreements for Public Assistance and Fire Management Assistance*. This is an existing policy that is scheduled for review to ensure that Recovery Directorate policies are up to date, incorporate lessons learned and are consistent with current laws and regulations. The purpose of this proposed policy is to define the eligible costs incurred through mutual aid agreements and remove the unintended restriction on permanent work. The previous policy limited reimbursement for mutual aid costs to emergency work.

**DATES:** Comments must be received by October 12, 2010.

**ADDRESSES:** Comments must be identified by docket ID FEMA-2010-0055 and may be submitted by one of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments. Please note that this proposed policy is not a rulemaking and the Federal Rulemaking Portal is being utilized only as a mechanism for receiving comments.

*Mail:* Docket Manager, Office of Chief Counsel, Federal Emergency Management Agency, Room 835, 500 C Street, SW., Washington, DC 20472-3100.

**FOR FURTHER INFORMATION CONTACT:** Yolanda Gaston, Public Assistance Division, Federal Emergency

Management Agency, 500 C Street, SW., Washington, DC 20472-3100, [yolandaL.gaston@dhs.gov](mailto:yolandaL.gaston@dhs.gov), (202) 646-4543.

## SUPPLEMENTARY INFORMATION

### I. Public Participation

**Instructions:** All submissions received must include the agency name and docket ID. Regardless of the method used for submitting comments or material, all submissions 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 Act notice, which can be viewed by clicking on the "Privacy Notice" link in the footer of <http://www.regulations.gov>.

You may submit your comments and material by the methods specified in the **ADDRESSES** section above. Please submit your comments and any supporting material by only one means to avoid the receipt and review of duplicate submissions.

**Docket:** The proposed policy is available in docket ID FEMA-2010-0055. For access to the docket to read background documents or comments received, go to the Federal eRulemaking Portal at <http://www.regulations.gov> and search for the docket ID. Submitted comments may also be inspected at FEMA, Office of Chief Counsel, Room 835, 500 C Street, SW., Washington, DC 20472-3100.

### II. Background

The purpose of this policy is to describe the criteria the Federal Emergency Management Agency (FEMA) will use to determine eligibility of costs under the Public Assistance (PA) Program incurred through mutual aid agreements between applicants and other entities after major disasters and emergencies declared by the President pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

This policy was previously issued on August 13, 2007. The previous version indicated that mutual aid costs for permanent work was not eligible for Public Assistance funding. The significant change to the proposed policy is the allowance of mutual aid for permanent work. The primary reason of the limitation of mutual aid costs to emergency work is the assumption that mutual aid is provided for assistance with emergency work only. The intent of the policy was not to make emergency power restoration through

permanent repairs performed through mutual aid ineligible for Public Assistance funding. Further there is no restriction in FEMA regulations on mutual aid assistance for permanent work.

FEMA seeks comment on the proposed policy, which is available online at <http://www.regulations.gov> in docket ID FEMA-2010-0055. Based on the comments received, FEMA may make appropriate revisions to the proposed policy. Although FEMA will consider any comments received in the drafting of the final policy, FEMA will not provide a response to comments document. When or if FEMA issues a final policy, FEMA will publish a notice of availability in the **Federal Register** and make the final policy available at <http://www.regulations.gov>.

**Authority:** 42 U.S.C. 5121-5207; 44 CFR part 206.

Dated: August 31, 2010.

**David J. Kaufman,**

*Director, Office of Policy and Program Analysis, Federal Emergency Management Agency.*

[FR Doc. 2010-22585 Filed 9-9-10; 8:45 am]

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5374-N-15]

### Buy American Exceptions Under the American Recovery and Reinvestment Act of 2009

**AGENCY:** Office of the Assistant Secretary for Public and Indian Housing, HUD.

**ACTION:** Notice.

**SUMMARY:** In accordance with the American Recovery and Reinvestment Act of 2009 (Pub. L. 111-05, approved February 17, 2009) (Recovery Act), and implementing guidance of the Office of Management and Budget (OMB), this notice advises that certain exceptions to the Buy American requirement of the Recovery Act have been determined applicable for work using Capital Fund Recovery Formula and Competition (CFRFC) grant funds. Specifically, an exception was granted to the Jacksonville Housing Authority for the purchase and installation of programmable thermostats, compact fluorescent light (CFL) bulbs, and ENERGY STAR-qualified ceiling fans at several of its properties.

**FOR FURTHER INFORMATION CONTACT:** Dominique G. Blom, Deputy Assistant Secretary for Public Housing Investments, Office of Public Housing

Investments, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 7th Street, SW., Room 4130, Washington, DC 20410-4000, telephone number 202-402-8500 (this is not a toll-free number). Persons with hearing- or speech-impairments may access this number through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

**SUPPLEMENTARY INFORMATION:** Section 1605(a) of the Recovery Act provides that none of the funds appropriated or made available by the Recovery Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. Section 1605(b) provides that the Buy American requirement shall not apply in any case or category in which the head of a Federal department or agency finds that: (1) Applying the Buy American requirement would be inconsistent with the public interest; (2) iron, steel, and the relevant manufactured goods are not produced in the U.S. in sufficient and reasonably available quantities or of satisfactory quality, or (3) inclusion of iron, steel, and manufactured goods will increase the cost of the overall project by more than 25 percent. Section 1605(c) provides that if the head of a Federal department or agency makes a determination pursuant to section 1605(b), the head of the department or agency shall publish a detailed written justification in the **Federal Register**.

In accordance with section 1605(c) of the Recovery Act and OMB's implementing guidance published on April 23, 2009 (74 FR 18449), this notice advises the public that, on August 25, 2010, upon request of the Jacksonville Housing Authority, HUD granted an exception to the applicability of the Buy American requirements with respect to work, using CFRFC grant funds, based on the fact that the relevant manufactured goods (programmable thermostats, CFL bulbs, and ENERGY STAR-qualified ceiling fans) are not produced in the U.S. in sufficient and reasonably available quantities or of satisfactory quality.

Dated: September 1, 2010.

**Deborah Hernandez,**

*General Deputy Assistant Secretary for Public and Indian Housing.*

[FR Doc. 2010-22507 Filed 9-9-10; 8:45 am]

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## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-5375-N-35]

### Federal Property Suitable as Facilities To Assist the Homeless

**AGENCY:** Office of the Assistant Secretary for Community Planning and Development, HUD.

**ACTION:** Notice.

**SUMMARY:** This Notice identifies unutilized, underutilized, excess, and surplus Federal property reviewed by HUD for suitability for possible use to assist the homeless.

**FOR FURTHER INFORMATION CONTACT:** Kathy Ezzell, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 7266, Washington, DC 20410; telephone (202) 708-1234; TTY number for the hearing- and speech-impaired (202) 708-2565 (these telephone numbers are not toll-free), or call the toll-free Title V information line at 800-927-7588.

**SUPPLEMENTARY INFORMATION:** In accordance with 24 CFR part 581 and section 501 of the Stewart B. McKinney Homeless Assistance Act (42 U.S.C. 11411), as amended, HUD is publishing this Notice to identify Federal buildings and other real property that HUD has reviewed for suitability for use to assist the homeless. The properties were reviewed using information provided to HUD by Federal landholding agencies regarding unutilized and underutilized buildings and real property controlled by such agencies or by GSA regarding its inventory of excess or surplus Federal property.

This Notice is also published in order to comply with the December 12, 1988 Court Order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.).

Properties reviewed are listed in this Notice according to the following categories: Suitable/available, suitable/unavailable, suitable/to be excess, and unsuitable. The properties listed in the three suitable categories have been reviewed by the landholding agencies, and each agency has transmitted to HUD: (1) Its intention to make the property available for use to assist the homeless, (2) its intention to declare the property excess to the agency's needs, or (3) a statement of the reasons that the property cannot be declared excess or made available for use as facilities to assist the homeless.

Properties listed as suitable/available will be available exclusively for homeless use for a period of 60 days