

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]

**BILLING CODE 9111-23-P**

## 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]

**BILLING CODE 4210-67-P**

## 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

from the date of this Notice. Where property is described as for "off-site use only" recipients of the property will be required to relocate the building to their own site at their own expense. Homeless assistance providers interested in any such property should send a written expression of interest to HHS, addressed to Theresa Rita, Division of Property Management, Program Support Center, HHS, Room 5B-17, 5600 Fishers Lane, Rockville, MD 20857; (301) 443-2265. (This is not a toll-free number.) HHS will mail to the interested provider an application packet, which will include instructions for completing the application. In order to maximize the opportunity to utilize a suitable property, providers should submit their written expressions of interest as soon as possible. For complete details concerning the processing of applications, the reader is encouraged to refer to the interim rule governing this program, 24 CFR part 581.

For properties listed as suitable/to be excess, that property may, if subsequently accepted as excess by GSA, be made available for use by the homeless in accordance with applicable law, subject to screening for other Federal use. At the appropriate time, HUD will publish the property in a Notice showing it as either suitable/available or suitable/unavailable.

For properties listed as suitable/unavailable, the landholding agency has decided that the property cannot be declared excess or made available for use to assist the homeless, and the property will not be available.

Properties listed as unsuitable will not be made available for any other purpose for 20 days from the date of this Notice. Homeless assistance providers interested in a review by HUD of the determination of unsuitability should call the toll free information line at 1-800-927-7588 for detailed instructions or write a letter to Mark Johnston at the address listed at the beginning of this Notice. Included in the request for review should be the property address (including zip code), the date of publication in the **Federal Register**, the landholding agency, and the property number.

For more information regarding particular properties identified in this Notice (*i.e.*, acreage, floor plan, existing sanitary facilities, exact street address), providers should contact the appropriate landholding agencies at the following addresses: AIR FORCE: Mr. Robert Moore, Air Force Real Property Agency, 2261 Hughes Ave., Suite 121, Lackland AFB, TX 78236; (210) 395-9512; ENERGY: Mr. Mark Price,

Department of Energy, OECM, MA-50, 1000 Independence Ave., SW., Washington, DC 20585; (202) 586-5422; GSA: Mr. Gordon Creed, Acting Deputy Assistant Commissioner, General Services Administration, Office of Property Disposal, 18th & F Streets, NW., Washington, DC 20405; (202) 501-0084; NAVY: Mr. Albert Johnson, Director of Real Estate, Department of the Navy, Naval Facilities Engineering Command, Washington Navy Yard, 1330 Patterson Ave., SW., Suite 1000, Washington, DC 20374; (202) 685-9305; (These are not toll-free numbers).

Dated: September 2, 2010.

**Mark R. Johnston,**

*Deputy Assistant Secretary for Special Needs.*

#### **TITLE V, FEDERAL SURPLUS PROPERTY PROGRAM**

#### **FEDERAL REGISTER REPORT FOR 09/10/2010**

##### **Unsuitable Properties**

##### *Building*

##### *California*

Bldgs. 616, 5226

Lawrence Livermore Natl Lab

Livermore CA 94550

Landholding Agency: Energy

Property Number: 41201030001

Status: Excess

Reasons: Within 2000 ft. of flammable or explosive material, Secured Area

14 Bldgs.

Naval Weapons Station

Seal Beach CA 90740

Landholding Agency: Navy

Property Number: 77201030024

Status: Unutilized

Directions: 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29

Reasons: Within 2000 ft. of flammable or explosive material, Secured Area, Extensive deterioration

Bldg. 7212

Marine Corps Air Station

Miramar CA

Landholding Agency: Navy

Property Number: 77201030025

Status: Excess

Reasons: Secured Area, Extensive deterioration

10 Bldgs.

Naval Weapons Station

Seal Beach CA 90740

Landholding Agency: Navy

Property Number: 77201030026

Status: Unutilized

Directions: 231, 233, 234, 248, 253, 260, 300, 411, 420, 876, 920

Reasons: Extensive deterioration, Within 2000 ft. of flammable or explosive material, Secured Area

7 Bldgs.

Naval Base

Ventura CA 93042

Landholding Agency: Navy

Property Number: 77201030029

Status: Unutilized

Directions: 4-32, 5-24, 555, 737, 764, 852, 853

Reasons: Extensive deterioration, Secured Area

4 Bldgs.

Naval Base

Ventura CA 93043

Landholding Agency: Navy

Property Number: 77201030030

Status: Unutilized

Directions: 2-825, 4-30, 353, 789

Reasons: Extensive deterioration, Secured Area

11 Bldgs.

Naval Base

Ventura CA 93042

Landholding Agency: Navy

Property Number: 77201030031

Status: Unutilized

Directions: 71, 73, 76, 77, 240, 244, 246, 248, 565, 700, 704

Reasons: Secured Area, Extensive deterioration

##### *Florida*

14 Bldgs.

Naval Air Station

Jacksonville FL

Landholding Agency: Navy

Property Number: 77201030027

Status: Unutilized

Directions: 108, 151, 152, 153, 173, 192, 234, 318, 790, 847, 947, 1205, 1524, 1846

Reasons: Secured Area, Extensive deterioration

##### *Hawaii*

Bldg. 237

Joint Base Pearl Harbor

Hickam

Wahiawa HI 96786

Landholding Agency: Navy

Property Number: 77201030028

Status: Excess

Reasons: Extensive deterioration

##### *Maryland*

Appraisers Store

Baltimore MD 21202

Landholding Agency: GSA

Property Number: 54201030016

Status: Excess

GSA Number: 4-G-MD-0623

Reasons: Floodway

##### *New Mexico*

Bldg. 790

Holloman AFB

Otero NM 88330

Landholding Agency: Air Force

Property Number: 18201030013

Status: Unutilized

Reasons: Extensive deterioration, Secured Area

[FR Doc. 2010-22441 Filed 9-9-10; 8:45 am]

**BILLING CODE 4210-67-P**