

and inconsistent with the public interest since it may result in undue constraint on national banks' ability to perform critical lending and financial intermediary roles, which are necessary for the orderly functioning and liquidity of financial markets. Issuance of this final rule furthers the public interest because it will reduce liquidity and other strains being experienced by money market mutual funds.

Regulatory Analysis

Executive Order 12866

The OCC has determined that this final rule is not a significant regulatory action under Executive Order 12866. The changes made by this final rule will not have an annual effect on the economy of \$100 million or more within the meaning of Executive Order 12866.

Regulatory Flexibility Act Analysis

The Regulatory Flexibility Act (Pub. L. 96-354, Sept. 19, 1980) (RFA) applies only to rules for which an agency publishes a general notice of proposed rulemaking pursuant to 5 U.S.C. 553(b).⁵ Pursuant to the Administrative Procedure Act (APA) at 5 U.S.C. 553(b)(B), general notice and an opportunity for public comment are not required prior to the issuance of a final rule when an agency, for good cause, finds that "notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest."⁶

For the reasons set forth in the interim final rule,⁷ the OCC determined for good cause that the APA did not require general notice and public comment on the interim final rule and, therefore, did not publish a general notice of proposed rulemaking. Thus, the RFA, pursuant to 5 U.S.C. 601(2), does not apply to this final rule.

Paperwork Reduction Act

In accordance with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3506), the OCC has reviewed the final rule and determined that it contains no collections of information as defined by the Paperwork Reduction Act.

Unfunded Mandates Reform Act of 1995

Section 202 of the Unfunded Mandates Reform Act of 1995, Public Law 104-4 (2 U.S.C. 1532) (Unfunded Mandates Act), requires that an agency prepare a budgetary impact statement before promulgating any rule likely to result in a Federal mandate that may result in the expenditure by State, local,

and tribal governments, in the aggregate, or by the private sector, of \$100 million or more in any one year. The OCC has determined that there is no Federal mandate imposed by this rulemaking. Accordingly, the final rule is not subject to section 202 of the Unfunded Mandates Act.

List of Subjects in 12 CFR Part 3

Administrative practices and procedure, Capital, National banks, Reporting and recordkeeping requirements, Risk.

12 CFR Chapter I

Authority and Issuance

■ For the reasons stated in the preamble, the Office of the Comptroller of the Currency amends Part 3 of chapter I of Title 12, Code of Federal Regulations, as follows:

PART 3—MINIMUM CAPITAL RATIOS; ISSUANCE OF DIRECTIVES

■ 1. The authority citation for part 3 continues to read as follows:

Authority: 12 U.S.C. 93a, 161, 1818, 1828(n), 1828 note, 1831n note, 1835, 3907, and 3909.

■ 2. In Appendix A to part 3, section 3(a)(1) is amended by revising paragraph (ix) to read as follows:

Appendix A to Part 3—Risk-Based Capital Guidelines

* * * * *

Section 3. Risk Categories/Weights for On-Balance Sheet Assets and Off-Balance Sheet Items

* * * * *

(a) * * *

(1) Zero percent risk weight. * * *

(ix) Asset-backed commercial paper (ABCP) that is:

(A) Purchased by the bank on or after September 19, 2008, from a Securities and Exchange Commission (SEC)-registered open-end investment company that holds itself out as a money market mutual fund under SEC Rule 2a-7 (17 CFR 270.2a-7); and

(B) Pledged by the bank to a Federal Reserve Bank to secure financing from the ABCP lending facility (AMLF) established by the Federal Reserve Board on September 19, 2008.

* * * * *

Dated: March 19, 2009.

John C. Dugan,

Comptroller of the Currency.

[FR Doc. E9-6864 Filed 3-26-09; 8:45 am]

BILLING CODE 4810-33-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2009-0270; Directorate Identifier 2008-NE-30-AD; Amendment 39-15865; AD 2009-07-06]

RIN 2120-AA64

Airworthiness Directives; Hamilton Sundstrand Propellers Model 568F Propellers

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Final rule; request for comments.

SUMMARY: The FAA is adopting a new airworthiness directive (AD) for Hamilton Sundstrand Propellers model 568F propellers with certain part number (P/N) and serial number (SN) blades. This AD requires removing affected propeller blades from service for rework. This AD results from reports of blades with corrosion pits in the tulip area of the blades. We are issuing this AD to prevent cracks from developing in the tulip area of the blade, which could result in separation of the blade and loss of airplane control.

DATES: This AD becomes effective May 1, 2009.

We must receive any comments on this AD by May 26, 2009.

ADDRESSES: Use one of the following addresses to comment on this AD:

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- **Mail:** U.S. Docket Management Facility, Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590-0001.

- **Hand Delivery:** Deliver to Mail address above between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

- **Fax:** (202) 493-2251.

Contact Hamilton Sundstrand Propeller Technical Team, One Hamilton Road, Mail Stop 1-3-AB43, Windsor Locks, CT 06096-1010; fax (860) 654-5107, for the service information identified in this AD.

FOR FURTHER INFORMATION CONTACT:

Terry Fahr, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: terry.fahr@faa.gov; telephone (781) 238-7155; fax (781) 238-7170.

⁵ 5 U.S.C. 601(2).

⁶ 5 U.S.C. 553(b)(B).

⁷ 73 FR 55704 (Sept. 26, 2008).

SUPPLEMENTARY INFORMATION: We have received reports of corrosion on six propeller blades. A lack of adhesive and primer beyond the end of the compression wrap during manufacturing of certain serial-numbered propeller blades could result in corrosion pits developing in the tulip area of the propeller blade. This condition, if not corrected, could cause cracks in the tulip area, which could result in separation of the propeller blade and possible loss of airplane control.

FAA's Determination and Requirements of This AD

Although no airplanes that are registered in the United States use these propellers, the possibility exists that the propellers could be used on airplanes that are registered in the United States in the future. The unsafe condition described previously is likely to exist or develop on other Hamilton Sundstrand Propellers model 568F propellers of the same type design. We are issuing this AD to prevent cracks from developing in the tulip area of the blade, which could result in separation of the blade and loss of airplane control. This AD requires removing from service, Hamilton Sundstrand Propellers model 568F propellers, with a P/N and SN listed in Table 1 of this AD, within 30 days after the effective date of this AD.

FAA's Determination of the Effective Date

Since no domestic operators use this product, notice and opportunity for public comment before issuing this AD are unnecessary. Therefore, we are adopting this regulation immediately.

Comments Invited

This AD is a final rule that involves requirements affecting flight safety and was not preceded by notice and an opportunity for public comment; however, we invite you to send us any written relevant data, views, or arguments regarding this AD. Send your comments to an address listed under **ADDRESSES**. Include "AD Docket No. FAA-2009-0270; Directorate Identifier 2008-NE-30-AD" in the subject line of your comments. We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of the rule that might suggest a need to modify it.

We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this AD. Using the

search function of the Web site, anyone can find and read the comments in any of our dockets, including, if provided, the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

Examining the AD Docket

You may examine the AD docket on the Internet at <http://www.regulations.gov>; or in person at the Docket Operations office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The AD docket contains this AD, the regulatory evaluation, any comments received, and other information. The street address for the Docket Operations office (telephone (800) 647-5527) is the same as the Mail address provided in the **ADDRESSES** section. Comments will be available in the AD docket shortly after receipt.

Authority for This Rulemaking

Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, section 106, describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the Agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this rulemaking action.

Regulatory Findings

We have determined that this AD will not have federalism implications under Executive Order 13132. This AD will not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

For the reasons discussed above, I certify that this AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and

3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a summary of the costs to comply with this AD and placed it in the AD Docket. You may get a copy of this summary at the address listed under **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

Adoption of the Amendment

■ Under the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

■ 1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

■ 2. The FAA amends § 39.13 by adding the following new airworthiness directive:

2009-07-06 Hamilton Sundstrand

Corporation: Amendment 39-15865.

Docket No. FAA-2009-0270; Directorate Identifier 2008-NE-30-AD.

Effective Date

(a) This airworthiness directive (AD) becomes effective May 1, 2009.

Affected ADs

(b) None.

Applicability

(c) This AD applies to Hamilton Sundstrand Propellers model 568F propellers with blades, part numbers (P/Ns) R815505R2, R815505R3, R815505R4, R815505S2, and R815505S3, that have a serial number (SN) listed in Table 1 of this AD, installed. These propellers are installed on, but not limited to, ATR-GIE Avions de Transport Regional ATR-42-400 and -500, ATR72-210A, -500, and Construcciones Aeronauticas, S.A. C-295 airplanes.

TABLE 1—AFFECTED PROPELLER BLADES BY SN

31
33
34
37
40
43
105
230
259
265
277

TABLE 1—AFFECTED PROPELLER
BLADES BY SN—Continued

278
403
747
1007
1031
1510
1515
1803
1813
1823
1834
1917
2072
2299
2300
2383
2459
2460
2462
2464
2469
2470
2473
2492
2510
2535
2577
2625
20010731
20010732
20010917
20020568

Unsafe Condition

(d) This AD results from reports of blades with corrosion pits in the tulip area of the blades. We are issuing this AD to prevent cracks from developing in the tulip area of the blade, which could result in separation of the blade and loss of airplane control.

Compliance

(e) You are responsible for having the actions required by this AD performed within 30 days after the effective date of this AD.

Removing Blades P/Ns R815505R2, R815505R3, R815505R4, R815505S2, and R815505S3

(f) Remove from service blades, P/Ns R815505R2, R815505R3, R815505R4, R815505S2, and R815505S3, that have a SN listed in Table 1 of this AD.

Alternative Methods of Compliance

(g) The Manager, Boston Aircraft Certification Office, has the authority to approve alternative methods of compliance for this AD if requested using the procedures found in 14 CFR 39.19.

Special Flight Permits

(h) Under 14 CFR 39.23, we will not issue any special flight permits.

Related Information

(i) Hamilton Sundstrand Alert Service Bulletin 568F-61-A47, dated September 19, 2005, pertains to the subject of this AD. Contact Hamilton Sundstrand Propeller Technical Team, One Hamilton Road, Mail Stop 1-3-AB43, Windsor Locks, CT 06096-1010; fax (860) 654-5107, for a copy of this service information.

(j) Contact Terry Fahr, Aerospace Engineer, Boston Aircraft Certification Office, FAA, Engine & Propeller Directorate, 12 New England Executive Park, Burlington, MA 01803; e-mail: terry.fahr@faa.gov; telephone (781) 238-7155; fax (781) 238-7170, for more information about this AD.

Material Incorporated by Reference

(k) None.

Issued in Burlington, Massachusetts, on March 20, 2009.

Peter A. White,

Assistant Manager, Engine and Propeller Directorate, Aircraft Certification Service.

[FR Doc. E9-6876 Filed 3-26-09; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF HOUSING AND
URBAN DEVELOPMENT****24 CFR Parts 5, 92, and 908**

[Docket No. FR-4998-F-04]

RIN 2501-AD16

**Refinement of Income and Rent
Determination Requirements in Public
and Assisted Housing Programs:
Delay of Effective Date**

AGENCY: Office of the Secretary, HUD.

ACTION: Final rule; Delay of effective date.

SUMMARY: HUD is delaying the effective date of the rule entitled “Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs” published in the **Federal Register** on January 27, 2009. The rule, which was originally scheduled to become effective on March 30, 2009, will become effective on September 30, 2009. Today’s action follows publication of HUD’s February 11, 2009, **Federal Register** notice seeking public comment on whether delay in the effective date of the January 27, 2009, final rule, would be beneficial in further consideration of the rule’s policies. This action is being taken in accordance with the memorandum of January 20, 2009, from the assistant to the President and Chief of Staff, entitled “Regulatory Review.”

DATES: *Effective Date:* The effective date of the final rule, which was published on January 27, 2009 (74 FR 4832) is delayed until September 30, 2009.

FOR FURTHER INFORMATION CONTACT: For Office of Public and Indian Housing programs, contact Nicole Faison, Director of the Office of Public Housing Programs, Department of Housing and Urban Development, 451 7th Street, SW., Room 4226, Washington, DC 20410, telephone number 202-708-

0744. For Office of Housing Programs, contact Gail Williamson, Director of the Housing Assistance Policy Division, Department of Housing and Urban Development, 451 7th Street, SW., Room 6138, Washington, DC 20410, telephone number 202-402-2473. (These are not toll-free numbers.) Persons with hearing or speech impairments may access these numbers through TTY by calling the toll-free Federal Information Relay Service at 800-877-8339.

SUPPLEMENTARY INFORMATION:**I. Background**

On January 27, 2009 (74 FR 4832), HUD published a final rule, entitled “Refinement of Income and Rent Determination Requirements in Public and Assisted Housing Programs.” The January 27, 2009, final rule revises HUD’s public and assisted housing program regulations to implement the upfront income verification process for program participants and to require the use of HUD’s Enterprise Income Verification (EIV) system by public housing agencies and owners and management agents. The final rule was originally scheduled to become effective on March 30, 2009, but provided multifamily housing owners and management agents with an additional six months (until September 30, 2009) to implement use of the EIV.

On February 11, 2009 (74 FR 6839), HUD published a notice in the **Federal Register** seeking public comment on whether delay in the effective date of the January 27, 2009, final rule, would be beneficial to further consider the rule’s policies before they become effective. The notice was issued in accordance with the memorandum of January 20, 2009, from the assistant to the President and Chief of Staff, entitled “Regulatory Review” and subsequently published in the **Federal Register** on January 26, 2009 (74 FR 4435). The notice explained that HUD was considering a temporary 60-day delay in the effective date to allow HUD officials the opportunity for further review and consideration of new regulations, consistent with the Chief of Staff memorandum of January 20, 2009.

In addition to seeking public comment, in the February 11, 2009, notice HUD took the opportunity to address questions received subsequent to publication of the January 27, 2009, final rule pertaining to the provisions requiring the use of social security numbers for determining program eligibility. The February 11, 2009, notice clarified that these requirements are not intended to apply to individuals, in mixed families, who do not contend