

date of the regulatory period back to June 4 relieves District 2 handlers of the resulting inequity and enables them to be more competitive with shippers from other production areas.

Under the order, the Committee collects assessments from handlers based on inspection of onions to be shipped to market. The Committee's recommendation to continue the inspection requirement to July 15 will allow the Committee to continue to collect assessments through the end of the season. This revenue will continue to be used by the Committee to fund its operations, including consistent funding for onion promotion and research projects under the order.

One alternative to this action would be to not change the regulatory period back to June 4. However, the Committee believes that leaving the quality requirements in place for the entire season would not be as beneficial for those shipping onions in the latter part of the season.

This rule will not impose any additional reporting or recordkeeping requirements on either small or large onion handlers. As with all Federal marketing order programs, reports and forms are periodically reviewed to reduce information requirements and duplication by industry and public sector agencies. In addition, USDA has not identified any relevant Federal rules that duplicate, overlap or conflict with this rule.

AMS is committed to complying with the E-Government Act, to promote the use of the Internet and other information technologies to provide increased opportunities for citizen access to Government information and services, and for other purposes.

Further, the Committee's meeting was widely publicized throughout the South Texas onion industry and all interested persons were invited to attend the meeting and participate in Committee deliberations. All Committee meetings are public meetings and all entities, both large and small, are able to express their views. Finally, interested persons are invited to submit comments on this interim final rule, including the regulatory and informational impacts of this action on small businesses.

A small business guide on complying with fruit, vegetable, and specialty crop marketing agreements and orders may be viewed at: <http://www.ams.usda.gov/fv/moab.html>. Any questions about the compliance guide should be sent to Jay Guerber at the previously mentioned address in the **FOR FURTHER INFORMATION CONTACT** section.

This rule invites comments on a change to the regulatory period under

the South Texas onion marketing order. Any comments received will be considered prior to finalization of this rule.

After consideration of all relevant material presented, including the Committee's recommendation, and other information, it is found that this interim final rule, as hereinafter set forth, will tend to effectuate the declared policy of the Act.

Pursuant to 5 U.S.C. 553, it is also found and determined upon good cause that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice prior to putting this rule into effect and that good cause exists for not postponing the effective date of this rule until 30 days after publication in the **Federal Register** because: (1) This rule relaxes regulatory requirements on handlers; (2) this rule should be implemented as soon as possible since the South Texas onion regulatory period begins March 1; (3) the Committee unanimously recommended these changes; and (4) this rule provides a 60-day comment period and any comments received will be considered prior to finalization of this rule.

#### List of Subjects in 7 CFR Part 959

Marketing agreements, Onions, Reporting and recordkeeping requirements.

■ For the reasons set forth in the preamble, 7 CFR part 959 is amended as follows:

#### PART 959—ONIONS GROWN IN SOUTH TEXAS

■ 1. The authority citation for 7 CFR part 959 continues to read as follows:

**Authority:** 7 U.S.C. 601–674.

■ 2. In § 959.322, the introductory text is revised to read as follows:

During the period beginning March 1 and ending June 4, no handler shall handle any onions, including onions for peeling, chopping, and slicing, unless they comply with paragraphs (a) through (c) or (d) or (e) of this section; except that onions handled during the period June 5 through July 15 shall comply with paragraphs (c) or (d) or (e) of this section.

\* \* \* \* \*

Dated: April 20, 2009.

**Robert C. Keeney,**

*Acting Associate Administrator.*

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## FEDERAL HOUSING FINANCE BOARD

### 12 CFR Part 910

#### FEDERAL HOUSING FINANCE AGENCY

### 12 CFR Part 1202

#### DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

#### Office of Federal Housing Enterprise Oversight

### 12 CFR Part 1703

RIN 2590–AA05

#### Freedom of Information Act Implementation

**AGENCIES:** Federal Housing Finance Agency; Federal Housing Finance Board; Office of Federal Housing Enterprise Oversight.

**ACTION:** Final rule; technical amendment.

**SUMMARY:** On January 15, 2009, the Federal Housing Finance Agency (FHFA) published a final rule implementing the Freedom of Information Act (FOIA). This technical rulemaking will delete the FOIA rules promulgated by the FHFA's predecessor agencies, the Federal Housing Finance Board (FHFB) and Office of Federal Housing Enterprise Oversight (OFHEO). It also will remove now obsolete references in the FHFA rule to the FHFB and OFHEO.

**DATES:** *Effective Date:* May 26, 2009.

#### FOR FURTHER INFORMATION CONTACT:

Janice Kaye, Chief FOIA Officer, [janice.kaye@fhfa.gov](mailto:janice.kaye@fhfa.gov), 202–343–1514, Federal Housing Finance Agency, 1700 G Street NW., Washington, DC 20552. The telephone number for the telecommunications device for the deaf (TDD) is 800–877–8339.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Effective July 30, 2008, Division A of the Housing and Economic Recovery Act of 2008 (HERA), Public Law No. 110–289, 122 Stat. 2654 (2008), titled the Federal Housing Finance Regulatory Reform Act of 2008, created the Federal Housing Finance Agency as an independent agency of the Federal Government. HERA transferred supervisory and oversight responsibilities over the Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac), and the Federal Home Loan Banks (collectively,

Regulated Entities) from OFHEO and the FHFB to the FHFA. The Regulated Entities continue to operate under regulations promulgated by OFHEO and the FHFB until such time as the existing regulations are supplanted by regulations promulgated by the FHFA.

On January 15, 2009, the FHFA published a final rule to implement the FOIA. See 74 FR 2342 (Jan. 15, 2009). The FHFA's FOIA implementation rule is codified at 12 CFR part 1202. Because the FHFA FOIA rule now is effective, the agency is removing the FOIA rules of its predecessor agencies, the FHFB and OFHEO, codified respectively at 12 CFR parts 910 and 1703, subparts A through D. This rulemaking also deletes now obsolete references to the FHFA and OFHEO in section 1202.3 concerning the location of the FOIA Reading Room.

## II. Notice and Public Participation

The notice and comment procedure required by the Administrative Procedure Act is inapplicable to this final rule because the rule is procedural and makes only technical changes. See 5 U.S.C. 553(b)(3)(A).

## III. Paperwork Reduction Act

The final regulation does not contain any information collection requirement that requires the approval of the Office of Management and Budget under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

## IV. Regulatory Flexibility Act

The FHFA is adopting this regulation in the form of a final rule and not as a proposed rule. Therefore, the provisions of the Regulatory Flexibility Act do not apply. See 5 U.S.C. 601(2) and 603(a).

### List of Subjects

#### 12 CFR Part 910

Confidential business information, Freedom of information, Reporting and recordkeeping requirements.

#### 12 CFR Part 1202

Appeals, Confidential commercial information, Disclosure, Exemptions, Fees, Final action, Freedom of information, Judicial review, Records, Requests.

#### 12 CFR Part 1703

Administrative practice and procedure, Confidential business information, Freedom of information.

For the reasons stated in the preamble, under the authority of 12 U.S.C. 4526 \_\_, the FHFA is amending 12 CFR chapters IX, XII, and XVII as follows:

## CHAPTER IX—Federal Housing Finance Board

### PART 910—[REMOVED]

- 1. Remove part 910.

## CHAPTER XII—Federal Housing Finance Agency

### PART 1202—FREEDOM OF INFORMATION ACT

- 2. The authority citation for part 1202 continues to read as follows:

**Authority:** Pub. L. 110–289, 122 Stat. 2654; 5 U.S.C. 301, 552; 12 U.S.C. 4526; E.O. 12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235; E.O. 13392, 70 FR 75373–75377, 3 CFR, 2006 Comp., p. 216–200.

- 3. Revise § 1202.3(c) to read as follows:

#### § 1202.3 What information can I obtain through FOIA?

\* \* \* \* \*

(c) *Reading rooms.* (1) FHFA maintains electronic and physical reading rooms. The physical reading room is located at 1700 G Street, NW., Fourth Floor, Washington, DC 20552, and is open to the public by appointment from 9 a.m. to 3 p.m. each business day. For an appointment, contact the FOIA Officer by calling 202–414–6425 or by e-mail at [foia@fhfa.gov](mailto:foia@fhfa.gov). The electronic reading room is part of the FHFA Web site at <http://www.fhfa.gov>.

(2) Each reading room has the following records created by FHFA or its predecessor agencies after November 1, 1996, and current indices to all of the following records created by FHFA or its predecessor agencies before or after November 1, 1996:

- (i) Final opinions or orders issued in adjudication;
- (ii) Statements of policy and interpretation that are not published in the **Federal Register**;
- (iii) Administrative staff manuals and instructions to staff that affect a member of the public, and are not exempt from disclosure under FOIA; and
- (iv) Copies of records released under FOIA that FHFA determines have become or are likely to become the subject of subsequent requests for substantially the same records.

## CHAPTER XVII—Office of Federal Housing Enterprise Oversight, Department of Housing and Urban Development

### PART 1703—RELEASE OF INFORMATION

- 4. The authority citation for part 1703 continues to read as follows:

**Authority:** Pub. L. 110–289, 122 Stat. 2654; 5 U.S.C. 301, 552; 12 U.S.C. 4526; E.O.

12600, 52 FR 23781, 3 CFR, 1987 Comp., p. 235; E.O. 13392, 70 FR 75373–75377, 3 CFR, 2006 Comp., p. 216–200.

### Subparts A–D [Removed and Reserved]

- 5. Remove and reserve subparts A through D.

Dated: April 15, 2009.

**James B. Lockhart III,**

*Director, Federal Housing Finance Agency.*

[FR Doc. E9–9424 Filed 4–23–09; 8:45 am]

**BILLING CODE 8070–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 33

[Docket No. NE129; Special Conditions No. 33–007–SC]

### Special Conditions: General Electric Company GENx–2B Model Turbofan Engines

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final special conditions.

**SUMMARY:** These special conditions are issued for General Electric Company (GE) GENx–2B67 and GENx–2B69 model turbofan engines. The fan blades of these engines will have novel or unusual design features when compared to the state of technology envisioned in the part 33 airworthiness standards. The applicable airworthiness regulations do not contain adequate or appropriate safety standards for these design features. These special conditions contain the added safety standards the Administrator considers necessary to establish a level of safety equivalent to that established by the existing airworthiness standards.

**DATES:** The effective date of these special conditions is May 26, 2009.

**FOR FURTHER INFORMATION CONTACT:** Kevin Donovan, ANE–111, Rulemaking and Policy Branch, Engine and Propeller Directorate Standards Staff, Aircraft Certification Service, 12 New England Executive Park, Burlington, Massachusetts 01803–5299; telephone (781) 238–7743; facsimile (781) 238–7199; e-mail [kevin.donovan@faa.gov](mailto:kevin.donovan@faa.gov).

#### SUPPLEMENTARY INFORMATION:

##### Background

On February 28, 2006, the General Electric Company (GE) applied to the FAA to amend the GENx model type certificate to add GENx–2B engine model series. Currently, the GENx type