

failure to meet such other requirements by applicants does not adversely affect the operation of the program.

**§ 1580.502 Maintenance of records, audits, and compliance.**

(a) Producers making application for benefits under this program must maintain accurate records and accounts that will document that they meet all eligibility requirements specified herein, as may be requested. Such records and accounts must be retained for 2 years after the date of the final payment to the producer under this program.

(b) At all times during regular business hours, authorized representatives of the U.S. Department of Agriculture or any agency thereof, the Comptroller General of the United States shall have access to the premises of the producer in order to inspect, examine, and make copies of the books, records, and accounts, and other written data as specified in paragraph (a) of this section.

(c) Audits of certifications of average adjusted gross income may be conducted as necessary to determine compliance with the requirements of this subpart. As a part of this audit, income tax forms may be requested and if requested, must be supplied. If a producer has submitted information to FSA, including a certification from a certified public accountant or attorney, that relied upon information from a form previously filed with the Internal Revenue Service, such producer shall provide FSA a copy of any amended form filed with the Internal Revenue Service within 30 days of the filing.

(d) If requested in writing by the U.S. Department of Agriculture or any agency thereof, or the Comptroller General of the United States, the producer shall provide all information and documentation the reviewing authority determines necessary to verify any information or certification provided under this subpart, including all documents referred to in § 1580.301(c) of this part, within 30 days. Acceptable production documentation may be submitted by facsimile, in person, or by mail and may include copies of receipts, ledgers, income statements, deposit slips, register tapes, invoices for custom harvesting, records to verify production costs, contemporaneous measurements, truck scale tickets, fish tickets, landing reports, and contemporaneous diaries that are determined acceptable. Failure to provide necessary and accurate information to verify compliance, or failure to comply with this part's requirements, will result in ineligibility

for all program benefits subject to this part for the year or years subject to the request.

**§ 1580.503 Recovery of overpayments.**

(a) If the Administrator (FAS) determines that any producer has received any payment under this program to which the producer was not entitled, or has expended funds received under this program for purpose that was not approved by the Administrator (FAS) such producer will be liable to repay such amount. The Administrator (FAS) may waive such repayment if it is determined that:

- (1) The payment was made without fault on the part of the producer; and
- (2) Requiring such repayment would be contrary to equity and good conscience.

(b) Unless an overpayment is otherwise recovered, or waived under paragraph (a) of this section, the Administrator (FAS), shall recover the overpayment as a debt following the procedures in 7 CFR part 3. The requirement for demand and notice and opportunity for a hearing under the debt collection procedures in 7 CFR part 3 shall satisfy the notice and hearing requirements under 19 U.S.C. 2401f(c), and the appeal procedures in § 1580.505 of this part shall not apply to collection of overpayments

**§ 1580.504 Debarment, suspension, and penalties.**

(a) *Generally.* The regulations governing Governmentwide Debarment and Suspension (Nonprocurement), 7 CFR part 3017, and Government Requirements for Drug-Free Workplace (Financial Assistance), 7 CFR part 3021, apply to this part.

(b) *Additional specific suspension and debarment provision for this program.* In addition to any other debarment or suspension of a producer under paragraph (a) of this section, in connection with this program, if the Administrator (FAS) or a court of competent jurisdiction, determines that a producer:

- (1) Knowingly has made, or caused another to make, a false statement or representation of a material fact, or
- (2) Knowingly has failed, or caused another to fail, to disclose a material fact; and, as a result of such false statement or representation, or of such nondisclosure, such producer has received any payment under this program to which the producer was not entitled, the Administrator (FAS) shall suspend and debar such producer from any future payments under this program, as provided in 19 U.S.C. 2401f(b).

(c) *Criminal penalty.* Whoever makes a false statement of a material fact knowing it to be false, or knowingly fails to disclose a material fact, for the purpose of obtaining or increasing for himself or for any other producer any payments authorized to be furnished under this program shall be fined not more than \$10,000 or imprisoned for not more than 1 year, or both.

**§ 1580.505 Appeals.**

(a) A producer adversely affected by a determination with respect to their application for trade adjustment assistance under § 1580.301 of this part or with respect to the receipt of technical assistance or payments under § 1580.302 of this part may file a notice of appeal within 30 days of the date that the notification of the adverse determination was sent.

(b) A producer may not seek judicial review of any adverse decision under this paragraph without receiving a final determination pursuant to this paragraph.

**§ 1580.506 Judicial review.**

Any producer aggrieved by a final agency determination under this part may appeal to the U.S. Court of International Trade for a review of such determination in accordance with its rules and procedures.

**§ 1580.602 Paperwork Reduction Act.**

The information collection requirements contained in this part have been approved by the Office of Management and Budget (OMB) under the provisions of 44 U.S.C. Chapter 35 and been assigned OMB control number 0551-0040.

Dated: February 22, 2010.

**John D. Brewer,**  
Administrator, Foreign Agricultural Service.  
[FR Doc. 2010-3984 Filed 2-26-10; 8:45 am]

**BILLING CODE 3410-10-P**

---

**FEDERAL RESERVE SYSTEM**

**12 CFR Part 201**

**[Regulation A]**

**Extensions of Credit by Federal Reserve Banks**

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Final rule.

**SUMMARY:** The Board of Governors of the Federal Reserve System (Board) has adopted final amendments to its Regulation A to reflect the Board's approval of an increase in the primary credit rate at each Federal Reserve Bank.

The secondary credit rate at each Reserve Bank automatically increased by formula as a result of the Board's primary credit rate action.

**DATES:** The amendments to part 201 (Regulation A) are effective March 1, 2010. The rate changes for primary and secondary credit were effective on the dates specified in 12 CFR 201.51, as amended.

**FOR FURTHER INFORMATION CONTACT:** Jennifer J. Johnson, Secretary of the Board (202-452-3259); for users of Telecommunication Devices for the Deaf (TDD) only, contact 202-263-4869.

**SUPPLEMENTARY INFORMATION:** The Federal Reserve Banks make primary and secondary credit available to depository institutions as a backup source of funding on a short-term basis, usually overnight. The primary and secondary credit rates are the interest rates that the twelve Federal Reserve Banks charge for extensions of credit under these programs. In accordance with the Federal Reserve Act, the primary and secondary credit rates are established by the boards of directors of the Federal Reserve Banks, subject to the review and determination of the Board.

Like the closure of a number of extraordinary credit programs earlier this month, the changes to the primary and secondary credit rates discussed below are intended as a further normalization of the Federal Reserve's lending facilities. The modifications are not expected to lead to tighter financial conditions for households and businesses and do not signal any change in the outlook for the economy or for monetary policy, which remains about as it was at the January meeting of the Federal Open Market Committee (FOMC). At that meeting, the Committee left its target range for the federal funds rate at 0 to ¼ percent and said it anticipates that economic conditions are likely to warrant exceptionally low levels of the federal funds rate for an extended period.

The Board approved requests by the Reserve Banks to increase by 25 basis points the primary credit rate in effect at each of the twelve Federal Reserve Banks, thereby increasing from ½ percent to ¾ percent the rate that each Reserve Bank charges for extensions of primary credit. As a result of the Board's action on the primary credit rate, the rate that each Reserve Bank charges for extensions of secondary credit automatically increased from 1.00 percent to 1.25 percent under the secondary credit rate formula. The final amendments to Regulation A reflect these rate changes.

The Board's action widens the spread between the primary credit rate and the top of the FOMC's 0 to ¼ percent target range for the federal funds rate to ½ percentage point. As indicated in the Board's press release announcing this action, the changes to the primary credit discount window facility are intended as a further normalization of the Federal Reserve's lending facilities in light of continued improvement in financial market conditions. In addition, the Board announced that effective on March 18, the typical maximum maturity for primary credit loans will be reduced from 28 days to overnight.<sup>1</sup> A press release announcing these actions noted that:

The increase in the spread and reduction in maximum maturity will encourage depository institutions to rely on private funding markets for short-term credit and to use the Federal Reserve's primary credit facility only as a backup source of funds. The Federal Reserve will assess over time whether further increases in the spread are appropriate in view of experience with the ½ percentage point spread.

#### Regulatory Flexibility Act Certification

Pursuant to the Regulatory Flexibility Act (5 U.S.C. 605(b)), the Board certifies that the new primary and secondary credit rates will not have a significantly adverse economic impact on a substantial number of small entities because the final rule does not impose any additional requirements on entities affected by the regulation.

#### Administrative Procedure Act

The Board did not follow the provisions of 5 U.S.C. 553(b) relating to notice and public participation in connection with the adoption of these amendments because the Board for good cause determined that delaying implementation of the new primary and secondary credit rates in order to allow notice and public comment would be unnecessary and contrary to the public interest in fostering price stability and sustainable economic growth. For these same reasons, the Board also has not provided 30 days prior notice of the effective date of the rule under section 553(d).

#### List of Subjects in 12 CFR Part 201

Banks, Banking, Federal Reserve System, Reporting and recordkeeping.

<sup>1</sup> The maximum maturity of primary credit loans was extended from overnight to 30 days on August 17, 2007, and further extended to 90 days on March 16, 2008. The Federal Reserve began the process of normalizing the terms on primary credit by reducing the typical maximum maturity to 28 days effective January 14, 2010.

#### Authority and Issuance

■ For the reasons set forth in the preamble, the Board is amending 12 CFR Chapter II to read as follows:

#### PART 201—EXTENSIONS OF CREDIT BY FEDERAL RESERVE BANKS (REGULATION A)

■ 1. The authority citation for part 201 continues to read as follows:

**Authority:** 12 U.S.C. 248(i)–(j), 343 *et seq.*, 347a, 347b, 347c, 348 *et seq.*, 357, 374, 374a, and 461.

■ 2. In § 201.51, paragraphs (a) and (b) are revised to read as follows:

#### § 201.51 Interest rates applicable to credit extended by a Federal Reserve Bank.<sup>1</sup>

(a) *Primary credit.* The interest rates for primary credit provided to depository institutions under § 201.4(a) are:

Federal Reserve Bank	Rate	Effective
Boston .....	0.75	February 19, 2010.
New York .....	0.75	February 19, 2010.
Philadelphia .....	0.75	February 19, 2010.
Cleveland .....	0.75	February 19, 2010.
Richmond .....	0.75	February 19, 2010.
Atlanta .....	0.75	February 19, 2010.
Chicago .....	0.75	February 19, 2010.
St. Louis .....	0.75	February 19, 2010.
Minneapolis .....	0.75	February 19, 2010.
Kansas City .....	0.75	February 19, 2010.
Dallas .....	0.75	February 19, 2010.
San Francisco ..	0.75	February 19, 2010.

(b) *Secondary credit.* The interest rates for secondary credit provided to depository institutions under 201.4(b) are:

Federal Reserve Bank	Rate	Effective
Boston .....	1.25	February 19, 2010.
New York .....	1.25	February 19, 2010.
Philadelphia .....	1.25	February 19, 2010.
Cleveland .....	1.25	February 19, 2010.
Richmond .....	1.25	February 19, 2010.
Atlanta .....	1.25	February 19, 2010.
Chicago .....	1.25	February 19, 2010.
St. Louis .....	1.25	February 19, 2010.
Minneapolis .....	1.25	February 19, 2010.
Kansas City .....	1.25	February 19, 2010.
Dallas .....	1.25	February 19, 2010.
San Francisco ..	1.25	February 19, 2010.

\* \* \* \* \*

<sup>1</sup> The primary, secondary, and seasonal credit rates described in this section apply to both advances and discounts made under the primary, secondary, and seasonal credit programs, respectively.

By order of the Board of Governors of the Federal Reserve System, February 23, 2010.

**Jennifer J. Johnson,**  
*Secretary of the Board.*

[FR Doc. 2010-4086 Filed 2-26-10; 8:45 am]

BILLING CODE 6210-02-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Parts 1, 21, 43, and 45

[Docket No. FAA-2006-25877; Amendment Nos. 21-92A and 43-43A]

RIN 2120-AJ44

#### Production and Airworthiness Approval, Part Marking, and Miscellaneous Amendments; Correction

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

**ACTION:** Final rule; correction.

**SUMMARY:** The FAA is making certain corrections to the Certification Procedures and Identification Requirements for Aeronautical Products and Articles final rule published on October 16, 2009 (74 FR 53368). The purpose of that final rule was to update and standardize those requirements for production approval holders (PAHs), revise export airworthiness approval requirements to facilitate global manufacturing, move all part marking requirements from part 21 to part 45, and amend the identification requirements for products and articles. In the amendatory language and the preamble, we inadvertently referred to incorrect paragraphs and text. This document corrects those errors.

**DATES:** These corrections, including a correction to the effective date of the October 16, 2009, final rule, will become effective on April 14, 2010.

**FOR FURTHER INFORMATION CONTACT:** Barbara Capron and/or Robert Cook, Production Certification Branch, AIR-220, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 385-6360 or (202) 385-6358; e-mail: [barbara.capron@faa.gov](mailto:barbara.capron@faa.gov) or [robert.cook@faa.gov](mailto:robert.cook@faa.gov). For legal questions concerning this rule, contact Angela Washington, AGC-210, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-7556; e-mail: [angela.washington@faa.gov](mailto:angela.washington@faa.gov).

#### SUPPLEMENTARY INFORMATION:

#### Background

On October 16, 2009 (74 FR 53368), we published a final rule that standardized, revised, and relocated certification procedures and identification requirements in Title 14, Code of Federal Regulations (14 CFR), parts 1, 21, 43, and 45. The rule was necessary to further promote safety by ensuring that aircraft and products and articles designed specifically for use in aircraft, wherever manufactured, meet appropriate minimum standards for design and construction.

In §§ 21.9(b) and (c) of the final rule, we inadvertently referred to paragraphs (a)(1) through (a)(4), when we should have referred to paragraphs (a)(1) and (a)(2). When we added text to reserved § 21.122, in paragraph (a) we inadvertently stated “An applicant may obtain a production certificate for” when we should have stated “A type certificate holder may utilize”. In § 21.621, we also inadvertently referred to the “Issuance” rather than the “Issue” of letters of TSO design approval: import articles.

In final rule FR Doc. E9-24821 published on October 16, 2009 (74 FR 53368), make the following corrections:

##### A. Corrections to the Preamble

1. On page 53368, in the first column, revise the Effective Date section to read as follows: “This rule is effective April 16, 2011, except for the amendments to §§ 1.1, 1.2, 21.183, 21.185, 21.195, 21.197, 21.223, 21.225, subparts L and N of part 21, and §§ 45.11 and 45.13, which are effective April 14, 2010.”

2. On page 53375, in the first column, in the first paragraph of section 6, Location of or Change to Manufacturing Facilities, remove the words “or physical changes” from the first sentence, and remove the word “only” from the last sentence.

3. On page 53379, in the second column, in the first paragraph of section 13, Persons Authorized to Perform Maintenance, Preventive Maintenance, Rebuilding, and Alterations, remove the word “only” from the last sentence.

4. On page 53379, in the third column, in the second paragraph of section 14, Statement of Conformity, remove the word “special” and add in its place the word “standard” in the last sentence.

5. On page 53380, in the first column, revise the first paragraph of section C, Compliance Dates, to read: “The effective and compliance date for part 1; part 21, subparts H, I, L, and N; and part 45, subpart B, §§ 45.11 and 45.13 is 180 days after publication in the **Federal Register**. The rule changes in these

subparts are either cost relieving or have no economic impact on industry. The changes do not affect, and are not affected by, other changes to the rule. Therefore, the compliance date is the same as the effective date. All other portions of the final rule either promulgate new requirements or are tied to other requirements that have an extended effective and compliance date. These rule provisions have an effective and compliance date of 18 months after publication in the **Federal Register**.”

##### B. Corrections to the Regulatory Text

1. On page 53385, in the third column, in the amendment for § 21.9:

A. In paragraph (b), remove the words “(a)(1) through (a)(4)” and add in their place the words “(a)(1) and (a)(2)”; and

B. In paragraph (c) introductory text, remove the words “(a)(1) through (a)(4)” and add in their place the words “(a)(1) and (a)(2)”.

2. On page 53387, in the second column, in the amendment for § 21.122, amend paragraph (a) by removing the words “An applicant may obtain a production certificate for” and adding in their place the words “A type certificate holder may utilize”.

3. On page 53393, in the third column, in the amendment for § 21.621, revise the section heading to read as follows:

##### § 21.621 Issue of letters of TSO design approval: Import articles.

\* \* \* \* \*

Issued in Washington, DC, on February 24, 2010.

**Pamela Hamilton-Powell,**  
*Director, Office of Rulemaking.*

[FR Doc. 2010-4161 Filed 2-26-10; 8:45 am]

BILLING CODE 4910-13-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 30711; Amdt. No. 3362]

#### Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments

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

**ACTION:** Final rule.

**SUMMARY:** This establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) and associated Takeoff Minimums and Obstacle Departure Procedures for operations at certain