

period of 2009. The special assessment paid by any institution shall not exceed 10 basis points times the institution's assessment base for the second quarter 2009 risk-based assessment.

(b) *Special assessments after June 30, 2009*—(1) *Authority for additional special assessments.* After June 30, 2009, if the reserve ratio of the Deposit Insurance Fund is estimated to fall to a level that the Board believes would adversely affect public confidence or to a level which shall be close to or below zero at the end of a calendar quarter, a special assessment of up to 5 basis points on total assets less Tier 1 capital as reported on the report of condition for that calendar quarter may be imposed by a vote of the Board on all insured depository institutions. For any institution, the amount of such a special assessment shall not exceed 10 basis points times the institution's assessment base reported as of the date that the special assessment is imposed.

(2) *Termination of authority.* The authority to impose additional special assessments under this paragraph (b) shall terminate on January 1, 2010, but such termination of authority shall not prevent the Corporation from thereafter collecting any special assessment imposed prior to January 1, 2010.

(3) *Estimation process.* For purposes of any special assessment under this paragraph (b), the FDIC shall estimate the reserve ratio of the Deposit Insurance Fund for the applicable calendar quarter end from available data on, or estimates of, insurance fund assessment income, investment income, operating expenses, other revenue and expenses, and loss provisions, including provisions for anticipated failures. The FDIC will assume that estimated insured deposits will increase during the quarter at the average quarterly rate over the previous four quarters.

(4) *Imposition and announcement of special assessments.* Any special assessment under this paragraph (b) shall be imposed on the last day of a calendar quarter and shall be announced by the end of such quarter. As soon as practicable after announcement, the FDIC will have a notice of the special assessment published in the **Federal Register**.

(c) *Invoicing of any special assessments.* The FDIC shall advise each insured depository institution of the amount and calculation of any special assessment imposed under paragraph (a) or (b) of this section. This information shall be provided at the same time as the institution's quarterly certified statement invoice for the assessment period in which the special assessment was imposed.

(d) *Payment of any special assessment.* Each insured depository institution shall pay to the Corporation any special assessment imposed under paragraph (a) or (b) of this section in compliance with and subject to the provisions of §§ 327.3, 327.6 and 327.7 of subpart A, and the provisions of subpart B. The payment date for any special assessment shall be the date provided in § 327.3(b)(2) for the institution's quarterly certified statement invoice for the calendar quarter in which the special assessment was imposed.

Dated at Washington, DC this 22nd day of May, 2009.

By order of the Board of Directors.

Federal Deposit Insurance Corporation.

**Robert E. Feldman,**

*Executive Secretary.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 25

[Amendment No. 25-128]

#### Transport Category Airplanes, Various Technical Amendments and Corrections

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

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

**SUMMARY:** This amendment corrects a number of errors in the safety standards for transport category airplanes. None of the changes are substantive in nature, and this amendment will not impose any additional burdens on any person affected by these regulations.

**DATES:** *Effective Date:* This amendment becomes effective May 29, 2009.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this final rule, contact: Jeff Gardlin, FAA Airframe and Cabin Safety Branch, ANM-115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, Washington 98057-3356; telephone (425) 227-2136; facsimile (425) 227-1149; e-mail: [jeff.gardlin@faa.gov](mailto:jeff.gardlin@faa.gov). For legal questions concerning this final rule, contact: Douglas Anderson, ANM-7, FAA, Office of Regional Counsel, 1601 Lind Ave. SW., Renton, WA 98057-3356; telephone (202) 267-2166; e-mail: [Douglas.Anderson@faa.gov](mailto:Douglas.Anderson@faa.gov).

**SUPPLEMENTARY INFORMATION:**

## Background

A number of unrelated errors in the safety standards for transport category airplanes have been brought to the attention of the FAA. Some are due to inadvertent omissions or other editing errors; others are simply typographical or printing errors. This document amends part 25 to correct those errors. None of the corrections are substantive in nature, and this amendment will not impose any additional burdens on any person affected by these regulations.

### List of Subjects in 14 CFR Part 25

Airplanes, Aviation safety, Reporting and recordkeeping requirements.

### The Amendment

■ In consideration of the following, the Federal Aviation Administration amends part 25 of Title 14, Code of Federal Regulations, as follows:

#### PART 25—AIRWORTHINESS STANDARDS: TRANSPORT CATEGORY AIRPLANES

■ 1. The authority citation of part 25 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40113, 44701, 44702 and 44704.

#### § 25.812 [Amended]

■ 2. Amend § 25.812(h), introductory text, by removing the phrase “§§ 25.810(a) and (d)” and adding the phrase “§§ 25.810(a)(1) and (d)” in its place.

#### § 25.813 [Amended]

■ 3. Amend § 25.813(b)(5) by removing the phrase “§ 25.807(d)(3)(ii)” and adding the phrase “§ 25.807(g)(9)(ii)” in its place.

#### Appendix F to Part 25 [Amended]

■ 4. Amend Appendix F, part VII, paragraph (f)(1), by removing the phrase “paragraph (c)(4) or (c)(4)(i)” and adding the phrase “paragraph (c)(3)(iv)” in its place.

Issued in Washington, DC, on May 22, 2009.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

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