fixed-rate mortgages are used to compute APRs for these two products:

30-year fixed-rate—6.07
15-year fixed-rate—5.68

As a preliminary step in calculating APRs for the one-year and five-year variable-rate products, average close-of-business Treasury yields for the three days in which the survey was conducted are calculated (the three yields summed before dividing by three are the close-of-business yields reported for May 12th, 13th, and 14th):

One-year Treasury—(2.01+2.08+2.11)/3=2.07
Two-year Treasury—(2.30+2.57+2.53)/3=2.43
Three-year Treasury—(2.54+2.70+2.78)/3=2.67
Five-year Treasury—(3.00+3.17+3.22)/3=3.13
Seven-year Treasury—(3.34+3.49+3.50)/3=3.44
Ten-year Treasury—(3.78+3.90+3.92)/3=3.87

The fully-indexed rate for the one-year variable-rate mortgage is calculated as the one-year Treasury yield plus the margin: 2.07+2.75=4.82 Because both variable-rate products in the PMMS data use the same margin, the fully-indexed rate for the five-year variable-rate mortgage is the same number: 2.07+2.75=4.82 (since each adjusts to the 1-year treasury).

The initial rate, points, and fully-indexed rate are used to compute APRs for the one-year and five-year variable-rate products:

One-year variable-rate—4.91
Five-year variable-rate—5.16

Data for the interpolated two-year and three-year variable-rate mortgages are calculated as weighted averages of the figures for the one- and five-year variable-rates, which are used in conjunction with the yields on the two- and three-year Treasuries as follows:

Two-year variable-rate:
Initial rate—[3×(5.18–2.07)+1×(5.57–3.13)]/4+2.43=5.37
Fees & Points—[3×.7+1×.6]/4=.7
Margin—[3×2.75+1×2.75]/4=2.75
Fully-indexed rate—2.07+2.75=4.82
Three-year variable-rate:
Initial rate—[2×(5.18–2.07)+2×(5.57–3.13)]/4+2.67=5.45
Fees & Points—[2×.7+2×.6]/4=.7
Margin—[2×2.75+2×2.75]/4=2.75
Fully-indexed rate—2.07+2.75=4.82

The foregoing initial rates, points, margins, and fully-indexed rates are used to calculate APRs for the two- and three-year variable-rate products:

Two-year variable-rate—4.97
Three-year variable-rate—5.03

Data for the seven-year and ten-year variable-rate products are estimated using the survey data for the five-year variable-rate product and yields on the seven- and ten-year Treasuries:

Seven-year variable-rate:
Initial rate—(5.57–3.13)+3.44=5.88
Fees & Points—=.6
Margin—=2.75
Fully-indexed rate—2.07+2.75=4.82
Ten-year variable-rate:
Initial rate—(5.57–3.13)+3.87=6.31
Fees & Points—=.6
Margin—=2.75
Fully-indexed rate—2.07+2.75=4.82

The foregoing initial rates, points, margins, and fully-indexed rates are used to calculate APRs for the seven- and ten-year variable-rate products:

Seven-year variable-rate—5.40
Ten-year variable-rate—5.85

The initial rate and points of the variable-rate mortgages calculated above are used to estimate APRs for fixed-rate products with terms to maturity of ten years or less:

One-year fixed:
Initial rate—5.18
Fees & Points—.7
APR—6.49
Two-year fixed:
Initial rate—5.37
Fees & Points—.7
APR—6.06
Three-year fixed:
Initial rate—5.45
Fees & Points—.7
APR—5.92
Five-year fixed:
Initial rate—5.57
Fees & Points—.6
APR—5.82
Seven-year fixed:
Initial rate—5.88
Fees & Points—.6
APR—6.06
Ten-year fixed:
Initial rate—6.31
Fees & Points—.6
APR—6.44

[FR Doc. E8–25320 Filed 10–23–08; 8:45 am]

BILLING CODE 6210–01–P

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 303

Financial Education Programs That Include the Provision of Bank Products and Services; Limited Opportunity To Resubmit Comment

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice of limited opportunity to resubmit comment.

SUMMARY: The FDIC invites the commenter who filed a public comment at *www.regulations.gov* on July 9, 2008, relating to the FDIC's Interim Final Rule and Request for Comment involving ''Financial Education Programs That Include the Provision of Bank Products and Services'' to resubmit to the FDIC his or her comment relating to this action. We are taking this action because due to a technical software error, a public comment submitted via *www.regulations.gov* was not transmitted to the FDIC. Therefore, the FDIC will provide this commenter with a limited opportunity to resubmit his or her comment to the FDIC on or before November 24, 2008.

DATES: The commenter whose comment was not transmitted to the FDIC in accordance with the situation described above may resubmit his or her comment on or before November 24, 2008.

ADDRESSES: The affected commenter may submit his or her comment by any of the following methods:

- *Federal eRulemaking Portal: http://www.regulations.gov*. Follow the instructions for submitting comments.
- *Agency Web Site: http://www.FDIC.gov/regulations/laws/federal*. Follow instructions for submitting comments on the FDIC's Web Site.
- *E-mail: Comments@FDIC.gov*. Include ''Resubmitted Comments'' in the subject line of the message.
- *Mail:* Robert E. Feldman, Executive Secretary, Attention: Comments, Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429
- *Hand Delivery/Courier:* Guard Station at the rear of the 550 17th Street Building (located on F Street) on business days between 7 a.m. and 5 p.m. (EST).
- *Public Inspection:* All comments received will be posted without change to *http://www.fdic.gov/regulations/laws/federal/* including any personal information provided. Paper copies of public comments may be ordered from the Public Information Center by telephone at (877) 275–3342 or (703) 562–2200.

FOR FURTHER INFORMATION CONTACT: A. Ann Johnson, Counsel, Legal Division, (202) 898–3573 or *aajohnson@fdic.gov*.

SUPPLEMENTARY INFORMATION: In January 2003, the interagency eRulemaking Program launched *www.regulations.gov* to provide citizens with an online portal to learn about proposed regulations and to submit their comments on the rulemaking process. For the first time, American citizens could access and comment on all proposed Federal regulations from a single Web site.

A software problem at *www.regulations.gov* resulted in the non-transmittal of public comments to

some federal agencies from March 22, 2008 through September 8, 2008. The software error affected only a few federal agencies, one of which was the FDIC. The FDIC has been assured that the software problem has been corrected and that safeguards are now in place to ensure this error will not occur for future rulemakings.[1]

Specifically, because of the software problem, the FDIC has been notified that a total of two public comments relevant to FDIC rulemakings were filed using the Federal eRulemaking Portal at *www.regulations.gov*, but were not submitted to the FDIC.[2] The FDIC was advised that one of the missing comments was filed on July 9, 2008. This missing comment related to the FDIC's Interim Final Rule and Request for Comment involving ''Financial Education Programs That Include the Provision of Bank Products and Services.'' [3] The Federal eRulemaking Portal at *www.regulations.gov* has been unable to retrieve this comment or identify the commenter.

The FDIC considered all public comments relating to the proposed rule and posted the comments for public review on its Web site at *http://www.fdic.gov/regulations/laws/federal/*. Although the proposed rule has been finalized, to ensure fairness in its rulemaking process, the FDIC invites the commenter to resubmit his or her comment if they (1) commented about this proposed rule on the date indicated, (2) used the Federal eRulemaking Portal to file their original comment, and (3) do not believe that their comment was received by the FDIC. If a commenter is unsure whether his or her comment was received by the FDIC, the commenter may verify receipt of the comment by checking the FDIC's Web site for the comment at *http://www.fdic.gov/regulations/laws/federal/* or by contacting the FDIC's Public Information Center using the contact information indicated above.

Federal Deposit Insurance Corporation.

Dated the 20th of October, 2008.

Robert E. Feldman,

Executive Secretary.

[FR Doc. E8–25377 Filed 10–23–08; 8:45 am]

BILLING CODE 6714–01–P

[1] Questions about the Federal eRulemaking Portal may be directed to John Moses, Chief, eRulemaking Program Branch, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460, (202) 566–1352, *Moses.John@epamail.epa.gov*.

[2] The other missing comment was filed on April 14, 2008. This comment related to the FDIC's Notice of Proposed Rulemaking involving ''Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure and Large-Bank Deposit Insurance Determination Modernization.'' 73 FR 2364 (Jan. 14, 2008). The FDIC subsequently bifurcated the proposed rule, and published an Interim Rule with Request for Comments relating to the ''Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure'' (73 FR 41170 (July 17, 2008)) and a Final Rule relating to ''Large-Bank Deposit Insurance Determination Modernization'' (73 FR 41180 (July 17, 2008)). The commenter whose comment was not received by the FDIC and which is related to that rulemaking is invited to submit his or her comment to the FDIC through procedures outlined in a second Notice of Limited Opportunity to Resubmit Comment published by the FDIC in the **Federal Register** on October 24, 2008.

[3] See Interim Final Rule and Request for Comment involving ''Financial Education Programs That Include the Provision of Bank Products and Services.'' 73 FR 35337 (June 23, 2008). The FDIC subsequently finalized this interim final rule. 73 FR 55431 (Sept. 25, 2008).

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Parts 23, 25, 33, and 35

[Docket No.: FAA–2007–27310; Amendment Nos. 23–59, 25–126, 33–28, and 35–5]

RIN 2120–AI95

Airworthiness Standards; Propellers

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: The FAA amends the airworthiness standards for issuance of original and amended type certificates for airplane propellers. The previous propeller requirements did not adequately address the technological advances of the past twenty years. The new standards address these advances in technology and harmonize FAA and European Aviation Safety Agency propeller certification requirements, thereby simplifying airworthiness approvals for imports and exports.

DATES: These amendments become effective December 23, 2008.

FOR FURTHER INFORMATION CONTACT: For questions concerning this final rule contact Jay Turnberg, Engine and Propeller Directorate Standards Staff, ANE–110, Federal Aviation Administration, 12 New England Executive Park, Burlington, Massachusetts 01803–5299; telephone (781) 238–7116; facsimile (781) 238–7199, e-mail: *jay.turnberg@faa.gov.*

SUPPLEMENTARY INFORMATION:

Authority for This Rulemaking

The FAA's authority to issue rules on aviation safety is found in Title 49 of the United States Code. 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.

This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart III, section 44701, ''General requirements.'' Under that section, the FAA is charged with prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce, including minimum safety standards for aircraft propellers. This final rule is within the scope of that authority because it updates existing regulations for airplane propellers.

Background

Over the past decade, advances in technology have required repeated application of special conditions or special tests for many propeller certification programs. In addition, the need to demonstrate compliance with both FAA and European Aviation Safety Agency (EASA) requirements placed additional burdens on propeller manufacturers who required foreign certification. Therefore, we concluded that part 35 should be substantially revised. This action harmonizes FAA part 35 propeller certification requirements with most of EASA's Certification Specifications for Propellers (CS–P).

Summary of the Notice of Proposed Rulemaking

On April 11, 2007 (72 FR 18136), the FAA proposed changes to propeller requirements in Title 14 Code of Federal Regulations (14 CFR) parts 23, 25, 33, and 35. We proposed to amend the airworthiness standards for issuance of original and amended type certificates for aircraft propellers to address advances in technology and harmonize FAA requirements with EASA's CS–P. The comment period closed on June 11, 2007. We reopened the comment period on June 20, 2007 (72 FR 33925) for an additional 45 days in response to requests from propeller manufacturers for more time to comment. The comment period closed again on August 6, 2007.

Summary of the Final Rule

This final rule on propeller requirements contains no significant changes from the Notice of Proposed Rulemaking (NPRM) published on April 11, 2007. We made minor changes to several sections to ensure clarity and more consistency with EASA regulations in response to the comments we received. This rule harmonizes FAA and EASA regulations for most of part 35, updates §§ 23.907 and 25.907 and links part 35 to §§ 23.905, 25.901, 25.905, and 33.19.