

publishes the Optional Peg Rate quarterly in the **Federal Register**.

\* \* \* \* \*

■ 3. In § 120.600 redesignate paragraphs (c) through (j) as paragraphs (d) through (k) and add new paragraphs (c) and (l) to read as follows:

**§ 120.600 Definitions.**

\* \* \* \* \*

(c) *Dollar-Weighted Average Net Rate* of a Pool is calculated by multiplying the interest rate of each loan in the Pool by the ratio of that loan's current outstanding guaranteed principal to the current outstanding guaranteed principal of all loans in the Pool, and adding the sum of the resulting products. The Dollar-Weighted Average Net Rate of a Pool will fluctuate over the life of the Pool as loan defaults, prepayments and normal loan repayments occur.

\* \* \* \* \*

(l) *Weighted Average Coupon (WAC) Pool* is a Pool where the interest rate payable to the investor is equal to the Dollar-Weighted Average Net Rate of the Pool.

■ 4. Amend § 120.610 by revising paragraph (e) as follows:

**§ 120.610 Form and terms of Certificates.**

\* \* \* \* \*

(e) *Interest rate on Pool Certificate.* The interest rate on a Pool Certificate will be either the lowest Net Rate of any individual guaranteed portion of a loan in the Pool or the Dollar-Weighted Average Net Rate of the Pool.

■ 5. Amend § 120.611 by revising paragraphs (a)(5) and (6) and adding new paragraph (a)(7) as follows:

**§ 120.611 Pools backing Pool Certificates.**

(a) \* \* \*

(5) A maximum allowable difference between the remaining terms to maturity of the loans in the Pool;

(6) A minimum weighted average maturity at Pool formation; and

(7) A maximum allowable difference between the highest and lowest Net Rate on the guaranteed portions that are placed in a WAC Pool.

\* \* \* \* \*

**Sandy K. Baruah,**  
*Acting Administrator.*

[FR Doc. E8-26999 Filed 11-7-08; 4:15 pm]

BILLING CODE 8025-01-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 73**

[Docket No. FAA-2008-1130; Airspace Docket No. 08-ASW-14]

RIN 2120-AA66

**Change of Controlling Agency for Restricted Areas R-6901A, R-6901B, and R-6903; Wisconsin**

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

**ACTION:** Final rule.

**SUMMARY:** This action changes the controlling agency of R-6901A and R-6901B, Fort McCoy, WI, from "FAA Chicago ARTCC" to "FAA, Minneapolis ARTCC." This action also changes the controlling agency of R-6903, Sheboygan, WI, from "FAA, Chicago ARTCC" to "FAA, Minneapolis ARTCC." The FAA is taking this action in response to a request from Minneapolis Air Route Traffic Control Center (ARTCC) to reflect an administrative change of controlling agency responsibility for the restricted areas. There are no changes to the boundaries; designated altitudes; time of designation; or activities conducted within the affected restricted area.

**DATES:** *Effective Dates:* 0901 UTC, January 15, 2009.

**FOR FURTHER INFORMATION CONTACT:** Colby Abbott, Airspace and Rules Group, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:**

**History**

On August 18, 2008, Minneapolis ARTCC requested that the FAA change the controlling agency for R-6901A, R-6901B, and R-6903 from Chicago ARTCC to Minneapolis ARTCC. They proposed the controlling agency change request to enhance FAA service to the Volk Combat Readiness Training Center (CRTC) by establishing a single point of coordination for airspace usage. Additionally, as a single point of coordination, they could provide more accurate information to parties seeking information about the Volk airspace complex. Coordination and concurrence with the controlling agency change proposal was accomplished between the two ARTCCs and the Volk CRTC prior to this requested change being submitted by Minneapolis ARTCC.

Section 73.69 of Title 14 CFR part 73 was republished in FAA Order 7400.8P, effective February 16, 2008.

**The Rule**

This action amends Title 14 Code of Federal Regulations (14 CFR) part 73 by revising the controlling agency listed for R-6901A and R-6901B, Fort McCoy, WI, and R-6903, Sheboygan, WI; transferring controlling agency responsibility for R-6901A and R-6901B from "FAA Chicago ARTCC" to "FAA, Minneapolis ARTCC" and for R-6903 from "FAA, Chicago ARTCC" to "FAA, Minneapolis ARTCC." This is an administrative change and does not affect the boundaries, designated altitudes, or activities conducted within the restricted area; therefore, notice and public procedures under 5 U.S.C. 553(b) are unnecessary.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this regulation: (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

The FAA's authority to issue rules regarding 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 I, section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of the airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it is amending the controlling agency for R-6901A and R-6901B, Fort McCoy, WI, and R-6903, Sheboygan, WI.

**Environmental Review**

The FAA has determined that this action qualifies for a categorical exclusion under the National

Environmental Policy Act in accordance with 311d., FAA Order 1050.1E, "Environmental Impacts: Policies and Procedures." There are no extraordinary circumstances that would require additional environmental analysis.

#### List of Subjects in 14 CFR Part 73

Airspace, Prohibited areas, Restricted areas.

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73 as follows:

#### PART 73—SPECIAL USE AIRSPACE

■ 1. The authority citation for part 73 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p.389.

#### § 73.69 [Amended]

■ 2. § 73.69 is amended as follows:

\* \* \* \* \*

#### R–6901A Fort McCoy, WI [Amended]

Under controlling agency, remove "FAA Chicago ARTCC" and insert the words "FAA, Minneapolis ARTCC."

\* \* \* \* \*

#### R–6901B Fort McCoy, WI [Amended]

Under controlling agency, remove "FAA Chicago ARTCC" and insert the words "FAA, Minneapolis ARTCC."

\* \* \* \* \*

#### R–6903 Sheboygan, WI [Amended]

Under controlling agency, remove "FAA, Chicago ARTCC" and insert the words "FAA, Minneapolis ARTCC."

\* \* \* \* \*

Issued in Washington, DC, on November 5, 2008.

Edith V. Parish,

Manager, Airspace and Rules Group.

[FR Doc. E8–26934 Filed 11–12–08; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### 26 CFR Part 702

[TD 9432]

RIN 1545–BH36

#### Payments From the Presidential Primary Matching Payment Account

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Final regulations and removal of temporary regulations.

**SUMMARY:** This document contains final regulations under section 9037 of the Internal Revenue Code (Code) relating to the financing of presidential primary campaigns. The regulations relate to Treasury procedures for making payments from the Presidential Primary Matching Payment Account (Primary Account) to eligible primary candidates. These regulations affect all candidates eligible to receive payments from the Primary Account.

**DATES:** *Effective Date:* These regulations are effective on November 13, 2008.

*Applicability Date:* For dates of applicability, see 702.9037–1(b) and 702.9037–2(c).

#### FOR FURTHER INFORMATION CONTACT:

Karla M. Meola, (202) 622–4930 (not a toll-free number).

#### SUPPLEMENTARY INFORMATION:

#### Background

This document contains amendments to 26 CFR part 702 under section 9037 of the Code. On February 14, 2008, the IRS published temporary regulations (TD 9382, 2008–9 IRB 482) in the **Federal Register** (73 FR 8608). On the same date, the IRS published a notice of proposed rulemaking (REG–149475–07, 2008–9 IRB 510) in the **Federal Register** (73 FR 8632) cross-referencing the temporary regulations.

The notice of proposed rulemaking provided that, pursuant to section 9036, the Federal Election Commission (Commission) will certify to the Treasury Secretary the full amount of payments to which a candidate is entitled under section 9034. The Treasury Secretary will pay promptly, but not before the start of a Presidential election year, the amounts certified by the Commission from the Primary Account to the candidate. The notice of proposed rulemaking also authorized the Treasury Secretary to provide guidance prescribing rules and procedures for the Primary Account. Contemporaneously with the publication of the notice of proposed rulemaking, the IRS published Rev. Proc. 2008–15 (2008–9 IRB 489), which revises the procedures for making prompt payment from the Primary Account to eligible primary candidates.

The notice of proposed rulemaking invited comments and requests for a public hearing, but no comments were received and no public hearing was requested or held. Accordingly, this Treasury decision adopts the proposed regulations without modification as final regulations.

#### Special Analyses

It has been determined that this Treasury decision is not a significant

regulatory action as defined in Executive Order 12866. Therefore, a regulatory assessment is not required. It has also been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) does not apply to these regulations, and because the regulation does not impose a collection of information on small entities, the Regulatory Flexibility Act (5 U.S.C. chapter 6) does not apply. Pursuant to section 7805(f) of the Code, this regulation has been submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

#### Drafting Information

The principal author of these regulations is Karla M. Meola of the Office of Associate Chief Counsel (Income Tax & Accounting). However, other personnel from the IRS and Treasury Department participated in their development.

#### Adoption of Amendments to the Regulations

■ Accordingly, 26 CFR part 702 is amended as follows:

#### PART 702—PRESIDENTIAL PRIMARY MATCHING PAYMENT ACCOUNT

■ **Paragraph 1.** The authority citation for part 702 continues to read in part as follows:

**Authority:** 26 U.S.C. 7805 \* \* \*

#### §§ 702.9037–1T [Removed]

■ **Par. 2.** Section 702.9037–1T is removed.

■ **Par. 3.** Revise § 702.9037–1 to read as follows:

#### § 702.9037–1 Transfer of amounts to the Presidential Primary Matching Payment Account.

(a) *In general.* The Secretary will deposit amounts into the Presidential Primary Matching Payment Account (Primary Account) only to the extent that there are amounts in the Presidential Election Campaign Fund (Fund) after the transfers prescribed by § 701.9006–1(c) and (d). The Secretary will make this deposit promptly from amounts that have actually been transferred to the Fund under § 701.9006–1(a). Any amounts in the Primary Account after October 31 following a presidential election will be returned to the Fund for the purpose of making the transfers prescribed by § 701.9006–1(c), (d), and (f) for the next presidential election.

(b) *Effective/applicability date.* These regulations apply to the Primary Account on or after February 2, 1996.