

FDC date	State	City	Airport	FDC No.	Subject
12/18/08	CA	SANTA MARIA	SANTA MARIA PUB/CAPT G ALLAN HANCOCK FLD.	8/4721	RNAV (GPS) RWY 12, ORIG
12/18/08	CA	SANTA MARIA	SANTA MARIA PUB/CAPT G ALLAN HANCOCK FLD.	8/4722	VOR RWY 12, AMDT 14
12/18/08	CA	SANTA MARIA	SANTA MARIA PUB/CAPT G ALLAN HANCOCK FLD.	8/4723	LOC/DME BC A, AMDT 10B
12/18/08	CO	PUEBLO	PUEBLO MEMORIAL	8/4724	RNAV (GPS) RWY 26R, AMDT 1A
12/19/08	CO	DURANGO	DURANGO-LA PLATA COUNTY	8/4932	VOR/DME RWY 2, AMDT 4B
12/24/08	AK	HOOPER BAY	HOOPER BAY	8/5207	TKOF MINS AND OBSTACLE DP, ORIG
12/24/08	AK	HOOPER BAY	HOOPER BAY	8/5208	RNAV (GPS) RWY 31, ORIG-A
12/24/08	AK	HOOPER BAY	HOOPER BAY	8/5209	VOR/DME RWY 31, ORIG-A
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5273	RNAV (GPS) RWY 16C, AMDT 1
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5274	VOR/DME RWY 16L/C, AMDT 14
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5275	RNAV (GPS) RWY 34R, AMDT 1
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5276	RNAV (GPS) RWY 34L, ORIG
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5277	RNAV (GPS) RWY 34C, AMDT 1
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5278	RNAV (GPS) RWY 16R, ORIG
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5279	ILS OR LOC RWY 34R, AMDT 1
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5280	RNAV (GPS) RWY 16L, AMDT 2
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5283	ILS OR LOC RWY 34C, AMDT 2 * * * ILS RWY 34C, (CAT II), AMDT 2
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5284	VOR/DME RWY 34C, AMDT 1
12/23/08	WA	SEATTLE	SEATTLE-TACOMA INTL	8/5285	ILS OR LOC RWY 16R, ORIG * * * ILS RWY 16R, (CAT II), ORIG * * * ILS RWY 16R, (CAT III), ORIG
12/23/08	MS	GULFPORT	GULFPORT-BILOXI INTL	8/5290	RADAR-1, AMDT 6
12/23/08	MS	GULFPORT	GULFPORT-BILOXI INTL	8/5291	VOR/DME OR TACAN RWY 32, AMDT 4
12/23/08	MS	GULFPORT	GULFPORT-BILOXI INTL	8/5293	VOR RWY 32, AMDT 21
12/23/08	MS	GULFPORT	GULFPORT-BILOXI INTL	8/5294	ILS OR LOC/DME RWY 32, AMDT 4
12/23/08	MS	GULFPORT	GULFPORT-BILOXI INTL	8/5295	RNAV (GPS) RWY 32, ORIG
10/24/08	NE	ALLIANCE	ALLIANCE MUNI	8/6004	RNAV (GPS) RWY 30, ORIG-A
10/24/08	NE	ALLIANCE	ALLIANCE MUNI	8/6015	LOC/DME RWY 30, ORIG-A
10/24/08	NE	GRANT	GRANT MUNI	8/6020	VOR/DME RWY 15, ORIG-A

[FR Doc. E9-327 Filed 1-21-09; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 97

[Docket No. 30645; Amdt. No 3302]

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 airports. These regulatory actions are needed because of the adoption of new

or revised criteria, or because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, adding new obstacles, or changing air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

DATES: This rule is effective January 22, 2009. The compliance date for each SIAP, associated Takeoff Minimums, and ODP is specified in the amendatory provisions.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of January 22, 2009.

ADDRESSES: Availability of matters incorporated by reference in the amendment is as follows:

For Examination—

1. FAA Rules Docket, FAA Headquarters Building, 800

Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which the affected airport is located;

3. The National Flight Procedures Office, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 or,

4. The National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202-741-6030, or go to: http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html.

*Availability—*All SIAPs and Takeoff Minimums and ODPs are available online free of charge. Visit <http://www.nfdc.faa.gov> to register. Additionally, individual SIAP and Takeoff Minimums and ODP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

FOR FURTHER INFORMATION CONTACT:

Harry J. Hodges, Flight Procedure Standards Branch (AFS-420), Flight Technologies and Programs Divisions, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd., Oklahoma City, OK 73169 (Mail Address: P.O. Box 25082, Oklahoma City, OK 73125) Telephone: (405) 954-4164.

SUPPLEMENTARY INFORMATION: This rule amends Title 14 of the Code of Federal Regulations, part 97 (14 CFR part 97), by establishing, amending, suspending, or revoking SIAPs, Takeoff Minimums and/or ODPs. The complete regulators description of each SIAP and its associated Takeoff Minimums or ODP for an identified airport is listed on FAA form documents which are incorporated by reference in this amendment under 5 U.S.C. 552(a), 1 CFR part 51, and 14 CFR part 97.20. The applicable FAA Forms are FAA Forms 8260-3, 8260-4, 8260-5, 8260-15A, and 8260-15B when required by an entry on 8260-15A.

The large number of SIAPs, Takeoff Minimums and ODPs, in addition to their complex nature and the need for a special format make publication in the **Federal Register** expensive and impractical. Furthermore, airmen do not use the regulatory text of the SIAPs, Takeoff Minimums or ODPs, but instead refer to their depiction on charts printed by publishers of aeronautical materials. The advantages of incorporation by reference are realized and publication of the complete description of each SIAP, Takeoff Minimums and ODP listed on FAA forms is unnecessary. This amendment provides the affected CFR sections and specifies the types of SIAPs and the effective dates of the associated Takeoff Minimums and ODPs. This amendment also identifies the airport and its location, the procedure, and the amendment number.

The Rule

This amendment to 14 CFR part 97 is effective upon publication of each separate SIAP, Takeoff Minimums, and ODP as contained in the transmittal. Some SIAP and Takeoff Minimums and textual ODP amendments may have been issued previously by the FAA in a Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for some SIAP and Takeoff Minimums and ODP

amendments may require making them effective in less than 30 days. For the remaining SIAPs and Takeoff Minimums and ODPs, an effective date at least 30 days after publication is provided.

Further, the SIAPs and Takeoff Minimums and ODPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Procedures (TERPS). In developing these SIAPs and Takeoff Minimums and ODPs, the TERPS criteria were applied to the conditions existing or anticipated at the affected airports. Because of the close and immediate relationship between these SIAPs, Takeoff Minimums, and ODPs, and safety in air commerce, I find that notice and public procedures before adopting these SIAPs, Takeoff Minimums, and ODPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making some SIAPs effective in less than 30 days.

Conclusion

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. It, therefore—(1) Is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under 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. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 97

Air Traffic Control, Airports, Incorporation by reference, and Navigation (Air).

Issued in Washington, DC, on December 26, 2008.

John M. Allen,

Deputy Director, Flight Standards Service.

Adoption of the Amendment

■ Accordingly, pursuant to the authority delegated to me, Title 14, Code of Federal Regulations, part 97 (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures and/or Takeoff Minimums and/or Obstacle Departure Procedures effective at 0902 UTC on the dates specified, as follows:

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

■ 1. The authority citation for part 97 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40106, 40113, 40114, 40120, 44502, 44514, 44701, 44719, 44721–44722.

■ 2. Part 97 is amended to read as follows:

Effective 12 FEB 2009

Sylvania, GA, Plantation Airpark, Takeoff Minimums and Obstacle DP, Orig
Charlotte, NC, Charlotte/Douglas Intl, ILS OR LOC RWY 36C, ILS RWY 36C (CAT II), ILS RWY 36C (CAT III), Amdt 15D
Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) RWY 18C, Amdt 2B
Charlotte, NC, Charlotte/Douglas Intl, RNAV (GPS) RWY 36C, Amdt 2B
Philadelphia, PA, Philadelphia Intl, CONVERGING ILS RWY 17, Amdt 5
Philadelphia, PA, Philadelphia Intl, ILS OR LOC RWY 17, Amdt 7
Philadelphia, PA, Philadelphia Intl, RNAV (GPS) RWY 17, Amdt 2
Philadelphia, PA, Philadelphia Intl, RNAV (GPS) RWY 35, Amdt 2
Manning, SC, Santee Cooper Regional, Takeoff Minimums and Obstacle DP, Orig

Effective 12 MAR 2009

Shishmaref, AK, Shishmaref, Takeoff Minimums and Obstacle DP, Orig
Talladega, AL, Talladega Muni, Takeoff Minimums and Obstacle DP, Amdt 1
Dubuque, IA, Dubuque Rgnl, RNAV (GPS) RWY 36, Orig
Grangeville, ID, Idaho County, GPS RWY 7, Orig-A, CANCELLED
Grangeville, ID, Idaho County, GPS RWY 25, Orig-A, CANCELLED
Grangeville, ID, Idaho County, RNAV (GPS) RWY 7, Orig
Grangeville, ID, Idaho County, RNAV (GPS) RWY 25, Orig
Bloomington/Normal, IL, Central IL Regl Arpt at Bloomington-Normal, RNAV (GPS) RWY 20, Amdt 1
Bloomington/Normal, IL, Central IL Regl Arpt at Bloomington-Normal, RNAV (GPS) RWY 29, Amdt 1
St Louis, MO, Lambert-St Louis Intl, RNAV (GPS) RWY 12L, Amdt 2
Tunica, MS, Tunica Muni, Takeoff Minimums and Obstacle DP, Orig
Marysville, OH, Union County, NDB RWY 27, Amdt 5B, CANCELLED
Aguadilla, PR, Rafael Hernandez, Takeoff Minimums and Obstacle DP, Orig
Sparta, TN, Upper Cumberland Rgnl, ILS OR LOC RWY 4, Amdt 1
Sparta, TN, Upper Cumberland Rgnl, NDB RWY 4, Amdt 4
Bowie, TX, Bowie Muni, RNAV (GPS) RWY 35, Amdt 1
Bowie, TX, Bowie Muni, Takeoff Minimums and Obstacle DP, Orig
Price, UT, Carbon County Rgnl/Buck Davis Field, Takeoff Minimums and Obstacle DP, Amdt 4
Dublin, VA, New River Valley, Takeoff Minimums and Obstacle DP, Amdt 2

Franklin, VA, Franklin Muni-John Beverly Rose, Takeoff Minimums and Obstacle DP, Amdt 2

Clintonville, WI, Clintonville Muni, NDB RWY 32, Amdt 7, CANCELLED

Manitowoc, WI, Manitowoc County, ILS OR LOC RWY 17, Amdt 5

Medford, WI, Taylor County, GPS RWY 27, Orig-A, CANCELLED

Medford, WI, Taylor County, NDB RWY 34, Amdt 7

Medford, WI, Taylor County, RNAV (GPS) RWY 27, Orig

Medford, WI, Taylor County, Takeoff Minimums and Obstacle DP, Amdt 2

[FR Doc. E9-324 Filed 1-21-09; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR PARTS 230, 240 and 260

[Release Nos. 33-8999; 34-59246; 39-2549; File No. S7-02-09]

RIN 3235-AK26

Temporary Exemptions for Eligible Credit Default Swaps To Facilitate Operation of Central Counterparties To Clear and Settle Credit Default Swaps

AGENCY: Securities and Exchange Commission.

ACTION: Interim final temporary rules; request for comments.

SUMMARY: We are adopting interim final temporary rules providing exemptions under the Securities Act of 1933, the Securities Exchange Act of 1934, and the Trust Indenture Act of 1939 for certain credit default swaps to facilitate the operation of one or more central counterparties for those credit default swaps. The interim final temporary rules define such credit default swaps as “eligible credit default swaps” and exempt them from all provisions of the Securities Act, other than the Section 17(a) anti-fraud provisions, as well as from Exchange Act registration requirements and from the provisions of the Trust Indenture Act, provided certain conditions are met. Our interim final temporary rules also define as a “qualified purchaser,” for purposes of the “covered securities” provisions of Section 18 of the Securities Act, any “eligible contract participant,” as defined in Section 1a(12) of the Commodity Exchange Act (“CEA”), other than a person who is an eligible contract participant under Section 1a(12)(C) of the CEA, to whom a sale of a eligible credit default swap is made in reliance on the interim final temporary Securities Act exemption.

DATES: *Effective Date:* The interim final temporary rules are effective January 22, 2009 until September 25, 2009.

Comment Date: Comments on the interim final temporary rules should be received on or before March 23, 2009.

ADDRESSES: Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission’s Internet comment form (<http://www.sec.gov/rules/interim-final-temp.shtml>);
- Send an e-mail to rule-comments@sec.gov. Please include File Number S7-02-09 on the subject line; or
- Use the Federal Rulemaking Portal (<http://www.regulations.gov>). Follow the instructions for submitting comments.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number S7-02-09. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission’s Internet Web site (<http://www.sec.gov/rules/interim-final-temp.shtml>). Comments are also available for public inspection and copying in the Commission’s Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

FOR FURTHER INFORMATION CONTACT:

Amy M. Starr, Senior Special Counsel, or Kim McManus, Special Counsel, Office of Chief Counsel, Division of Corporation Finance, at (202) 551-3500, U.S. Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-3628.

SUPPLEMENTARY INFORMATION: We are adopting interim final temporary Rule 239T and a temporary amendment to Rule 146 under the Securities Act of 1933 (“Securities Act”).¹ We are also adopting interim final temporary Rule 12a-10T and Rule 12b-1(h)T under the Securities Exchange Act of 1934 (“Exchange Act”)² and interim final

temporary Rule 4d-11T under the Trust Indenture Act of 1939 (“Trust Indenture Act”).³

I. Background

In response to the recent turmoil in the financial markets, we have taken multiple actions to protect investors and ensure the integrity of the nation’s securities markets.⁴ Today we are taking further action designed to address concerns related to the market in credit default swaps (“CDS”). The over-the-counter (“OTC”) market for CDS has been a source of concerns to us and other financial regulators. These concerns include the systemic risk posed by CDS, highlighted by the possible inability of parties to meet their obligations as counterparties and the potential resulting adverse effects on other markets and the financial system.⁵ Recent credit market events have demonstrated the seriousness of these risks in a CDS market operating without meaningful regulation, transparency,⁶ or

³ 15 U.S.C. 77aaa *et seq.*

⁴ A nonexclusive list of the Commission’s actions to stabilize financial markets during this credit crisis include: adopting a package of measures to strengthen investor protections against naked short selling, including rules requiring a hard T+3 close-out, eliminating the options market maker exception of Regulation SHO, and expressly targeting fraud in short selling transactions (*See Securities Exchange Act Release No. 58572* (September 17, 2008), 73 FR 54875 (September 23, 2008)); issuing an emergency order to enhance protections against naked short selling in the securities of primary dealers, Federal National Mortgage Association (“Fannie Mae”), and Federal Home Loan Mortgage Corporation (“Freddie Mac”) (*See Securities Exchange Act Release No. 58166* (July 15, 2008), 73 FR 42379 (July 21, 2008)); taking temporary emergency action to ban short selling in financial securities (*See Securities Exchange Act Release No. 58592* (September 18, 2008), 73 FR 55169 (September 24, 2008)); approving emergency rulemaking to ensure disclosure of short positions by hedge funds and other institutional money managers (*See Securities Exchange Act Release No. 58591A* (September 21, 2008), 73 FR 55557 (September 25, 2008)); proposing rules to strengthen the regulation of credit rating agencies and making the limits and purposes of credit ratings clearer to investors (*See Securities Exchange Act Release No. 57967* (June 16, 2008), 73 FR 36212 (June 25, 2008)); entering into a Memorandum of Understanding with the Board of Governors of the Federal Reserve System (“FRB”) to make sure key federal financial regulators share information and coordinate regulatory activities in important areas of common interest (*See Memorandum of Understanding Between the U.S. Securities and Exchange Commission and the Board of Governors of the Federal Reserve System Regarding Coordination and Information Sharing in Areas of Common Regulatory and Supervisory Interest* (July 7, 2008), http://www.sec.gov/news/press/2008/2008-134_mou.pdf).

⁵ In addition to the potential systemic risks that CDS pose to financial stability, we are concerned about other potential risks in this market, including operational risks, risks relating to manipulation and fraud, and regulatory arbitrage risks.

⁶ *See* Policy Objectives for the OTC Derivatives Market, The President’s Working Group on

¹ 15 U.S.C. 77a *et seq.*

² 15 U.S.C. 78a *et seq.*