

subsidiary holding company may adopt the charter provision after a minority stock issuance only if it provided, in the offering materials related to its previous minority stock issuance or issuances, full disclosure of the possibility that the association might adopt such a charter provision.

**Beneficial Ownership Limitation.** No person may directly or indirectly offer to acquire or acquire the beneficial ownership of more than 10 percent of the outstanding stock of any class of voting stock of the association held by persons other than the subsidiary holding company's mutual holding company parent. This limitation expires on [insert date of minority stock issuance] and does not apply to a transaction in which an underwriter purchases stock in connection with a public offering, or the purchase of stock by an employee stock ownership plan or other tax-qualified employee stock benefit plan which is exempt from the approval requirements under § 574.3(c)(1)(vii) of the Office's regulations.

In the event a person acquires stock in violation of this section, all stock beneficially owned in excess of 10 percent shall be considered "excess stock" and shall not be counted as stock entitled to vote and shall not be voted by any person or counted as voting stock in connection with any matters submitted to the stockholders for a vote.

\* \* \* \* \*

Dated: June 20, 2008.

By the Office of Thrift Supervision.

**John M. Reich,**  
Director.

[FR Doc. E8-14374 Filed 7-8-08; 8:45 am]

BILLING CODE 6720-01-P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2007-0915; Airspace  
Docket No. 07-ASW-13]

#### Establishment of Class D Airspace; Albuquerque, NM

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

**ACTION:** Final rule.

**SUMMARY:** This action establishes Class D airspace at Albuquerque, NM. Establishment of an air traffic control tower at Double Eagle II Airport, Albuquerque, NM, has made this action necessary for the safety of Instrument Flight Rule (IFR) operations at the

airport. This action also makes minor corrections to the geographic coordinates of the airport.

**DATES:** *Effective Date:* 0901 UTC, September 25, 2008. The Director of the Federal Register approves this incorporation by reference action under 1 CFR part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.  
**FOR FURTHER INFORMATION CONTACT:** Gary Mallett, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, TX 76193-0530; telephone (817) 222-4949.

#### SUPPLEMENTARY INFORMATION:

##### History

On April 9, 2008, the FAA published in the **Federal Register** a notice of proposed rulemaking to establish Class D airspace at Albuquerque, NM (73 FR 19174, 07-ASW-13 Docket No. FAA-2007-0915). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. This rule makes minor corrections to the geographic coordinates of Double Eagle II Airport. With the exception of editorial changes, and the changes described above, this rule is the same as that proposed in the NPRM. Class D airspace designations are published in paragraph 5000 of FAA Order 7400.9R signed August 15, 2007, and effective September 15, 2007, which is incorporated by reference in 14 CFR part 71.1. The Class D airspace designations listed in this document will be published subsequently in that Order.

##### The Rule

This action amends Title 14 Code of Federal Regulations (14 CFR) part 71 by establishing Class D airspace extending upward from the surface to and including 7,500 feet MSL within a 4.3-mile radius of Double Eagle II Airport.

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 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 U.S. Code. Subtitle 1, 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 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 establishes controlled airspace at Double Eagle II Airport, Albuquerque, NM.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

#### Adoption of the Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

#### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

■ 1. The authority citation for 14 CFR part 71 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.

##### § 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR part 71.1 of the Federal Aviation Administration Order 7400.9R, Airspace Designations and Reporting Points, signed August 15, 2007, and effective September 15, 2007, is amended as follows:

*Paragraph 5000 Class D Airspace.*

\* \* \* \* \*

##### ASW NM D Albuquerque, NM [New]

Double Eagle II Airport, NM  
(Lat. 35°08'43" N., long. 106°47'43" W.)

That airspace extending upward from the surface to and including 7,500 feet MSL within a 4.3-mile radius of Double Eagle II Airport, and within 1 mile each side of the Double Eagle Runway 22 ILS localizer northeast course, extending from the 4.3-mile radius to 5.9 miles northeast of the airport. This Class D airspace area is effective during

the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

\* \* \* \* \*

Issued in Fort Worth, TX, on June 27, 2008.

**Donald R. Smith,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. E8-15237 Filed 7-8-08; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0339; Airspace Docket No. 08-ASW-5]

#### Amendment of Class D and Class E Airspace; Altus AFB, OK

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

**ACTION:** Direct final rule; withdrawal.

**SUMMARY:** A direct final rule, published in the *Federal Register* April 14, 2008 (73 FR 19997) docket No. FAA-2008-0339, adding additional Class D and Class E airspace at Altus AFB, Altus, OK, is being withdrawn. Although the rule became effective June 5, 2008, charting of this airspace was never completed. A new rulemaking will be forthcoming with an effective date that coincides with the new charting date.

**DATES:** *Effective Date:* 0901 UTC July 9, 2008.

**FOR FURTHER INFORMATION CONTACT:** Gary Mallett, Central Service Center, Operations Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd., Fort Worth, Texas 76193-0530; telephone number (817) 222-4949.

#### SUPPLEMENTARY INFORMATION:

##### History

On April 14, 2008, the FAA published a direct final rule; request for comments, in the *Federal Register* (73 FR 19997) Docket No. FAA-2008-0339, amending the existing Class D and Class E airspace areas at Altus AFB, Altus, OK. No comments were received therefore the rule became effective on the date specified, June 5, 2008. It was then determined that the airspace had not been charted. Therefore, the FAA is withdrawing this rulemaking and will issue a new rulemaking with a new effective date to coincide with the charting date.

#### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

#### Withdrawal of the Rule

■ Accordingly, pursuant to the authority delegated to me, Airspace Docket No. 08-ASW-5, as published in the *Federal Register* on April 14, 2008 (73 FR 19997), is hereby withdrawn.

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

Issued in Fort Worth, TX, on June 27, 2008.

**Donald R. Smith,**

*Manager, Operations Support Group, ATO Central Service Center.*

[FR Doc. E8-15235 Filed 7-8-08; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0160; Airspace Docket No. 08-AEA-13]

#### Establishment of Class E Airspace; Milford, PA

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

**ACTION:** Final rule, confirmation of effective date.

**SUMMARY:** This action confirms the effective date of a direct final rule published in the *Federal Register* (73 FR 15061) that establishes Class E Airspace at Milford, PA to support a new Area Navigation (RNAV) Global Positioning System (GPS) Special Instrument Approach Procedure (IAP) that has been developed for medical flight operations into the Myer Airport. **DATES:** Effective 0901 UTC, September 25, 2008. The Director of the Federal Register approves this incorporation by reference action under title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**FOR FURTHER INFORMATION CONTACT:** Melinda Giddens, System Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305-5610.

#### SUPPLEMENTARY INFORMATION:

##### Confirmation of Effective Date

The FAA published this direct final rule with a request for comments in the *Federal Register* on March 21, 2008 (73

FR 15061), Docket No. FAA-2008-0161; Airspace Docket No. 08-AEA-13. The FAA uses the direct final rulemaking procedure for a non-controversial rule where the FAA believes that there will be no adverse public comment. This direct final rule advised the public that no adverse comments were anticipated, and that unless a written adverse comment, or a written notice of intent to submit such an adverse comment, were received within the comment period, the regulation would become effective on September 25, 2008. No adverse comments were received, and thus this notice confirms that effective date.

\* \* \* \* \*

Issued in College Park, Georgia, on June 4, 2008.

**Mark D. Ward,**

*Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.*

[FR Doc. E8-15236 Filed 7-8-08; 8:45 am]

BILLING CODE 4910-13-M

## FEDERAL TRADE COMMISSION

### 16 CFR Part 305

RIN 3084-AA74

#### Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule")

**AGENCY:** Federal Trade Commission ("FTC" or "Commission").

**ACTION:** Final Rule.

**SUMMARY:** Section 324 of the Energy Independence and Security Act of 2007 requires the Commission to issue labeling rules for metal halide lamp fixtures and ballasts. In accordance with this directive, the Commission has completed the required rulemaking and is publishing final amendments to the Appliance Labeling Rule ("Rule").

**DATES:** The amendments published in this final rule will become effective on January 1, 2009.

**ADDRESSES:** Requests for copies of this document are available from: Public Reference Branch, Room 130, Federal Trade Commission, 600 Pennsylvania Avenue, NW., Washington, DC 20580. The complete record of this proceeding is also available at that address. Relevant portions of the proceeding, including this document, are available at <http://www.ftc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Hampton Newsome, (202) 326-2889,