

(g) Not later than December 31, 2008, each Bank shall declare the results of its election and report the results, pursuant to § 1261.7(f) and (g).

(h) For any Bank that began a 2008 elective directorship election process after having received the Federal Housing Finance Board's Resolution titled *2008 Designation of Federal Home Loan Bank Directorships*, Resolution No. 2008-10 dated May 14, 2008, if the number of elective directorships designated for election in 2008 in that Resolution for any state is the same as, or is more than, the number of member directorships designated for election in the state in 2008 in the Order of the FHFA Director dated September 8, 2008, then, as to such states to the extent that the Bank has completed the election process for such directorships in accordance with Federal Housing Finance Board rules up through and including verification of eligibility of nominees, the Bank's election process for member directorships shall be deemed to be in compliance with paragraphs (a), (b), (c) and (d) of this section, as applicable.

(i) This section is effective from September 26, 2008 through December 31, 2008.

Dated: September 22, 2008.

**James B. Lockhart, III,**

*Director, Federal Housing Finance Agency.*  
[FR Doc. E8-22659 Filed 9-25-08; 8:45 am]  
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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 47

#### Cape Town Treaty Implementation

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

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

**SUMMARY:** This final rule corrects a previously published rule. In the original document, an amendment inadvertently removed two paragraphs relating to the registration of certain aircraft. This rule reinstates those two paragraphs in their original form.

**DATES:** This rule is effective September 26, 2008.

**FOR FURTHER INFORMATION CONTACT:** Walter Binkley, Civil Aviation Registry, AFS-750, Mike Monroney Aeronautical Center, 6500 South MacArthur Boulevard, Oklahoma City, OK 73169; Telephone (405) 954-3131.

**SUPPLEMENTARY INFORMATION:**

#### Background

On January 3, 2005, FAA published a final rule revising the regulations concerning registering aircraft and recording security documents (70 FR 245). These revisions were required by the Cape Town Treaty Implementation Act of 2004. The Cape Town Treaty established a new International Registry for registering interests against certain aircraft and aircraft engines. The rule also made unrelated technical changes to other portions of the regulations.

One of the technical changes affected 14 CFR 47.35. The amendment should have revised paragraph (a) introductory text, in order to revise an outdated reference to an Act. However, the entire paragraph (a) was inadvertently revised, which resulted in the loss of paragraphs (a)(1) and (a)(2). The information in paragraphs (a)(1) and (a)(2) was still necessary and should have remained in the section.

#### Technical Amendment

This technical amendment merely reinstates paragraphs (a)(1) and (a)(2) to 14 CFR 47.35. The text of these paragraphs remains as it was at the time of their inadvertent removal.

#### Justification for Immediate Adoption

Because this action reinstates paragraphs that were never intended to be removed, the FAA finds that notice and public comment under 5 U.S.C. 553(b) is unnecessary. For the same reason, the FAA finds that good cause exists under 5 U.S.C. 553(d) for making this rule effective upon publication.

#### List of Subjects in 14 CFR Part 47

Aircraft, Reporting and recordkeeping requirements.

#### The Amendment

■ In consideration of the foregoing, the Federal Aviation Administration amends Chapter I of Title 14, Code of Federal Regulations, part 47, as follows:

#### PART 47—AIRCRAFT REGISTRATION

■ 1. The authority citation for part 47 continues to read as follows:

**Authority:** 4 U.S.T. 1830; Pub. L. 108-297, 118 Stat. 1095 (49 U.S.C. 40101 note, 49 U.S.C. 44101 note); 49 U.S.C. 106(g), 40113-40114, 44101-44108, 44110-44113, 44703-44704, 44713, 45302, 46104, 46301.

■ 2. Amend § 47.35 by adding paragraphs (a)(1) and (a)(2) to read as follows:

**§ 47.35 Aircraft last previously registered in the United States.**

(a) \* \* \*

(1) If the applicant bought the aircraft from the last registered owner, the conveyance must be from that owner to the applicant.

(2) If the applicant did not buy the aircraft from the last registered owner, he must submit conveyances or other instruments showing consecutive transactions from the last registered owner through each intervening owner to the applicant.

\* \* \* \* \*

Issued in Washington, DC, on September 22, 2008.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

[FR Doc. E8-22586 Filed 9-25-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA-2008-0610; Airspace Docket No. 08-ASW-10]

#### Establishment of Class E Airspace; Pampa, TX

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

**ACTION:** Direct final rule; confirmation of effective date; correction.

**SUMMARY:** This action confirms the effective date and makes a correction to the direct final rule that establishes Class E airspace at Pampa, Mesa Vista Ranch Airport, TX, published in the *Federal Register* July 7, 2008 (73 FR 38314) Docket No. FAA-2008-0610. This action corrects the final rule by adding "Mesa Vista Ranch Airport" to more clearly define the airport name in the airport description.

**DATES:** Effective Date: 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:** Gary Mallett, Central Service Center, System Support Group, Federal Aviation Administration, Southwest Region, 2601 Meacham Blvd, Fort Worth, TX, 76193-0530; telephone (817) 222-4949.

**SUPPLEMENTARY INFORMATION:**

#### History

The FAA published a direct final rule with request for comments in the *Federal Register* July 7, 2008, (73 FR 38314), Docket No. FAA-2008-0610.

The FAA uses the direct final rule procedure for non-controversial rules 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 an adverse comment, was received within the comment period, the regulation would become effective on September 25, 2008. No adverse comments were received; thus, this notice confirms that the direct final rule will become effective on this date. Also, the charting office recommended changing the airport description to include Mesa Vista Ranch Airport.

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

#### Correction

■ In the **Federal Register** dated July 7, 2008, **Federal Register** Docket No. FAA–2008–0610, page 38315, column 3, line 50, change to read:

**ASW TX Class E5 Pampa, Mesa Vista Ranch Airport, TX [New].**

\* \* \* \* \*

Issued in Fort Worth, TX on September 17, 2008.

**Roger Trevino,**

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

[FR Doc. E8–22719 Filed 9–25–08; 8:45 am]

**BILLING CODE 4910–13–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 73

[Docket No. FAA–2006–26192; Airspace Docket No. 06–ASO–11]

RIN 2120–AA66

#### Modification and Establishment of Restricted Areas and Other Special Use Airspace, Adirondack Airspace Complex; Fort Drum, NY

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

**ACTION:** Final rule.

**SUMMARY:** This action restructures the restricted areas and other special use airspace (SUA) located in the vicinity of Fort Drum, NY. The Air National Guard (ANG) requested redesign of existing restricted airspace R–5201, known as the Adirondack Airspace Complex, by establishing two new restricted areas: R–5202A and R–5202B, and by restructuring the military operations

areas (MOA) contained in the Adirondack Airspace Complex. Unlike restricted areas, which are designated under 14 CFR part 73, MOAs are not rulemaking airspace actions. However, since these MOAs form an integral part of the Adirondack Airspace Complex, the FAA is including a description of the associated MOA changes in this rule. The MOA changes described here will also be published in the National Flight Data Digest (NFDD). The ANG requested these airspace changes to provide the additional SUA needed to conduct more realistic aircrew training in the Adirondack Airspace Complex.

**DATES:** *Effective Date:* 0901 UTC, November 20, 2008.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, 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:

##### Background

On June 6, 2007, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to redesign the SUA in the vicinity of Fort Drum, NY (72 FR 31211). Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. Seven responses were received.

##### Discussion of Comments

The Aircraft Owners and Pilots Association (AOPA) opposed the proposed Adirondack Airspace Complex modifications for several reasons. AOPA questioned the need for two nearly identical SUA expansions being developed within 150 nautical miles (NM) of one another (i.e., Adirondack Airspace Complex, NY and Condor MOA, ME). AOPA contended that expanding both Adirondack and Condor would result in redundant SUA and would not be efficient use of the National Airspace System (NAS).

*FAA Response:* Many factors are considered in the development of SUA proposals including, but not limited to, distance of the proposed SUA from the user's base, number of users to be accommodated and training capacity of the area. Ideally, MOAs should be located within 100 NM of the users' home base. However, this is often not possible due to other requirements of the NAS. The greater the distance from the launch base to the SUA, the more transit time is required, which results in less training time available per sortie

and increased training costs per sortie. The main distinction between the Adirondack and Condor SUA is the existence of restricted airspace at Fort Drum, NY. No restricted airspace is available at Condor; therefore, no hazardous activities may be conducted in that airspace. Use of the Condor airspace is limited to air-to-air tactics training, basic flight maneuvers, etc. The Adirondack Airspace Complex is used by as many as eight fighter wings for training in air-to-air tactics, and air-to-ground weapons delivery, lasers, etc. In addition, Fort Drum is the home of the U.S. Army's 10th Mountain Division and the restricted areas are extensively used for surface-based weapons training (e.g., artillery and mortar firing, missiles, etc.) by U.S. Army and National Guard units. The 174th FW at Syracuse, NY, is both the proponent and one of the primary users of the Adirondack Airspace Complex. The distance from Syracuse to Adirondack is about 72 NM and about 274 NM from Syracuse to the Condor airspace. While the 174th FW could conceivably use Condor for its air-to-air training, that would add some 400 NM travel distance—about one hour flying time—to the sortie and severely limit available training time. In addition, some training profiles combine both air-to-air and air-to-ground events in the same sortie making it more efficient to conduct the entire sortie in the Adirondack airspace. At this time, the Condor MOA proposal is still under study and it must be analyzed and evaluated on its own merit.

Additionally, AOPA stated its opposition to use of the “Dynamic Airspace concept” for airspace management as it has yet to be developed and defined.

*FAA Response:* The “Dynamic Airspace concept” was not addressed in the NPRM and is not an FAA-recognized term. The NPRM did indicate that one feature of the proposed airspace changes was to enable more efficient real-time use of the airspace. It is FAA policy that all SUA areas be activated on a real-time use basis to the extent possible. This means that only those SUA areas, or portions of areas, that are actually needed for the mission are activated, and users are expected to return the airspace to the controlling agency when not needed for the mission. Real-time use provisions are normally specified in a letter of agreement to allow the controlling agency to place temporary restrictions or altitude limitations on the use of the SUA, if required, so that nonparticipating aircraft can transit the SUA area. These provisions would be