

Bank shall tabulate the votes cast immediately after the closing date. The members of a Constituent Bank shall be considered to have ratified a merger agreement if a majority of votes cast in the election have been cast in favor of the ratification of the merger agreement. The Constituent Bank, or the Continuing Bank, as appropriate, shall retain all ballots received for at least two years after the date of the election, and shall not disclose how any member voted.

(4) *Notice of result.* Within 10 days of the closing date, a Constituent Bank shall deliver to its members, to each Constituent Bank with which it proposes to merge, and to FHFA a statement of—

- (i) The total number of eligible votes;
- (ii) The number of members voting in the election; and
- (iii) The total number of votes cast both for and against ratification of the merger agreement, as well as those that were eligible to be cast by members that abstained and by members who failed to return completed ballots.

(b) *False and misleading statements.* In connection with a proposed merger, no Bank, nor any director, officer, or employee thereof, shall make any statement, written or oral, which, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact, or which omits to state any material fact necessary in order to make the statement not false or misleading, or necessary to correct any earlier statement that has become false or misleading.

#### § 1278.7 Consummation of the merger.

(a) *Post-approval submissions.* After the members of each Constituent Bank have voted to ratify the merger agreement, the Constituent Banks shall submit to FHFA:

- (1) Evidence acceptable to the Director that all conditions imposed in connection with the approval of the merger application under § 1278.5 have been satisfied, including the items specified in §§ 1278.5(b)(1) and (2); and
- (2) An organization certificate for the Continuing Bank, in such form as FHFA may specify, that has been executed by the individuals who will constitute the board of directors of the Continuing Bank.

(b) *Acceptance of organization certificate.* Upon determining that all conditions have been satisfied and that the organization certificate meets the requirements of § 1278.7(a)(2), the Director shall accept the organization certificate of the Continuing Bank by endorsing thereon the date of

acceptance and the Effective Date, which date shall be:

(1) The proposed Effective Date set forth in the merger agreement or, if the merger agreement expresses the proposed Effective Date in terms of a range of dates, a date within the applicable range of dates; or

(2) If the proposed Effective Date set forth in the merger agreement has passed, the earlier of:

(i) The 10th business day following the date of acceptance of the organization certificate by the Director; or

(ii) The last business day preceding any date specified in the merger agreement by which the merger agreement will terminate if the merger has not become effective.

(c) *Effectiveness of merger.* After the Director has accepted the organization certificate of the Continuing Bank as provided in § 1278.7(b), and as of the commencement of the Effective Date specified on such organization certificate:

(1) The Continuing Bank shall become or remain a body corporate (depending on the type of transaction) operating under such organization certificate with all powers granted to a Bank under the Bank Act;

(2) The Continuing Bank shall succeed to all rights, titles, powers, privileges, books, records, assets, and liabilities of the Constituent Banks, as provided in the merger agreement; and

(3) The corporate existence of any Constituent Bank that is not a Continuing Bank shall cease, unless otherwise provided in the merger agreement.

(d) *Notice.* After accepting the organization certificate for the Continuing Bank, the Director shall provide to the Constituent Banks, and to each other Bank and the Office of Finance, prompt written notice of that fact, which shall include the date of acceptance and the Effective Date of the organization certificate.

Dated: November 17, 2011.

**Edward J. DeMarco,**

*Acting Director, Federal Housing Finance Agency.*

[FR Doc. 2011–30487 Filed 11–25–11; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2011–0376; Airspace Docket No. 10–AEA–11]

RIN 2120-AA66

#### Amendment and Establishment of Air Traffic Service Routes; Northeast United States

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

**ACTION:** Final rule; correction

**SUMMARY:** This action corrects a final rule published by the FAA in the **Federal Register** on September 19, 2011, that amends and establishes nine Air Traffic Service Routes (ATS) in the Northeast United States. This action provides more accurate latitude/longitude coordinates for one waypoint (WP) in the description of area navigation (RNAV) route Q–480.

**DATES:** Effective date 0901 UTC, December 15, 2011. 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:** Paul Gallant, Airspace, Regulations and ATC Procedures Group, Office of Airspace Services, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 267–8783.

#### SUPPLEMENTARY INFORMATION:

##### Background

On September 19, 2011, the FAA published a final rule in the **Federal Register** amending and establishing nine ATS routes in the northeast United States (76 FR 57902). Subsequent to publication a more accurate alignment was calculated for the establishment of the CANDR WP position of RNAV route Q–480. The refined coordinates result in a minor change of the CANDR position that is 0.28 nautical miles (NM) north of the original location. This equates to a move of approximately 1,700 feet which is well within the standard 8 NM width of RNAV routes. Since the coordinates in air traffic service route descriptions are rounded to the nearest second, the amended CANDR position is listed as “lat. 40°58′16″ N., long. 74°57′35″ W.”

Area Navigation Routes are published in paragraph 2006 of FAA Order 7400.9V, dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR

71.1. The RNAV route listed in this document will be published subsequently in the Order.

#### Correction to Final Rule

Accordingly, pursuant to the authority delegated to me, the coordinates for the CANDR waypoint as published in the **Federal Register** on September 19, 2011 (76 FR 57902) (FR Doc. 2011–23839) for RNAV route Q–480, is corrected under the description as follows:

*Paragraph 2006—United States Area Navigation Routes*

\* \* \* \* \*

#### Q–480 [Corrected]

On page 57905, line 38, Remove “CANDR, NJ WP (lat. 40°57’59” N., long. 74°57’29” W.)” and insert “CANDR, NJ WP (lat. 40°58’16” N., long. 74°57’35” W.)”

Issued in Washington, DC, on November 16, 2011.

Gary A. Norek,

*Acting Manager, Airspace, Regulations and ATC Procedures Group.*

[FR Doc. 2011–30500 Filed 11–25–11; 8:45 am]

BILLING CODE 4910–13–P

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2010–1328; Airspace Docket No. 10–AEA–26]

#### Amendment of Class D and Class E Airspace; Baltimore, MD

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

**ACTION:** Final rule.

**SUMMARY:** This action amends Class D and Class E airspace at Baltimore, MD, as the Martin Non-Directional Beacon (NDB) has been decommissioned and new Standard Instrument Approach Procedures have been developed at Martin State Airport. This action also updates the geographic coordinates of the Baltimore VORTAC and makes a minor adjustment to the geographic coordinates of the airport. This action enhances the safety and airspace management of Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, February 9, 2012. 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:** John Fornito, Operations Support Group, Eastern Service Center, Federal Aviation Administration, P.O. Box 20636, Atlanta, Georgia 30320; telephone (404) 305–6364.

#### SUPPLEMENTARY INFORMATION:

##### History

On August 31, 2011, the FAA published in the **Federal Register** a notice of proposed rulemaking (NPRM) to amend Class D and E airspace at Martin State Airport, Baltimore, MD (76 FR 54153). Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received. Subsequent to publication, the FAA found that the geographic coordinates for Martin State Airport and navigation aid needed to be adjusted. This action makes that adjustment. Class D and E airspace designations are published in paragraph 5000, 6002, and 6004 respectively of FAA Order 7400.9V dated August 9, 2011, and effective September 15, 2011, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

##### The Rule

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 amends Class D airspace and Class E surface airspace and Class E airspace designated as an extension to Class D surface area. Airspace reconfiguration is necessary due to the decommissioning of the Martin NDB and cancellation of the NDB approach, and for continued safety and management of IFR operations at the airport. The geographic coordinates for the Baltimore VORTAC and Martin State Airport also are adjusted to coincide with the FAA’s aeronautical database.

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, is non-controversial and unlikely to result in adverse or negative comments. 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. 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 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 amends controlled airspace at Martin State Airport, Baltimore, MD.

#### Lists 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 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 71.1 of Federal Aviation Administration Order 7400.9V, Airspace Designations and Reporting Points, dated August 9, 2011, effective September 15, 2011, is amended as follows:

*Paragraph 5000 Class D Airspace*  
\* \* \* \* \*

#### AEA MD D Baltimore, Martin State Airport, MD [Amended]

Martin State Airport, Baltimore, MD  
(Lat. 39°19’54” N., long. 76°24’83” W.)  
Baltimore VORTAC  
(Lat. 39°10’12” N., long. 76°39’30” W.)

That airspace extending upward from the surface to and including 2,500 feet MSL within a 5.2-mile radius of Martin State Airport and within 4.4 miles each side of a 14.7-mile radius arc of the Baltimore VORTAC extending clockwise from the Baltimore VORTAC 030° radial to the VORTAC 046° radial, excluding that airspace within the Washington Tri-Area Class B