

the amount of Title II Social Security retirement or disability benefits under the modified benefit formula. The respondents are applicants for Title II Social Security retirement or disability benefits who have foreign pensions.

*Type of Request:* Revision of an OMB-approved information collection.

*Number of Respondents:* 13,452.

*Frequency of Response:* 1.

*Average Burden per Response:* 10 minutes.

*Estimated Annual Burden:* 2,242 hours.

*This is a correction notice:* SSA inadvertently published the incorrect burden information for this collection on September 17, 2008 at 73 FR 53919.

Dated: January 5, 2009.

**John Biles,**

*Reports Clearance Officer, Center for Reports Clearance, Social Security Administration.*

[FR Doc. E9-129 Filed 1-7-09; 8:45 am]

**BILLING CODE 4191-02-P**

**DEPARTMENT OF STATE**

[Public Notice 6476]

**Certification Related to Libya Under Section 654(b) of the State, Foreign Operations, and Related Programs Appropriations Act, 2008 (Div. J. Pub. L. 110-161)**

*Summary:* The Secretary of State certified to the Committees on Appropriation on December 24, 2008 that Libya has met the requirements stipulated in Section 654(b) of the State, Foreign Operations, and Related Programs Appropriations Act of 2008.

Dated: January 2, 2009.

**Jeffrey Feltman,**

*Acting Assistant Secretary of State for Near Eastern Affairs, Department of State.*

[FR Doc. E9-126 Filed 1-7-09; 8:45 am]

**BILLING CODE 4710-31-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

[Docket No. FAA-2008-25755]

**Operating Limitations at New York LaGuardia Airport; Notice of Order**

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

**ACTION:** Notice of amendment to Order.

**SUMMARY:** The Federal Aviation Administration (FAA) is amending the Order Limiting Operations at New York LaGuardia Airport (LGA) that published on December 27, 2006, and was

amended on November 8, 2007, and August 19, 2008. This amendment extends the expiration date to October 24, 2009.

**DATES:** This amendment is effective on January 8, 2009.

**FOR FURTHER INFORMATION CONTACT:** For technical questions concerning this Order contact: Gerry Shakley, System Operations Services, Air Traffic Organization, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; *telephone:* (202) 267-9424; *facsimile:* (202) 267-7277; *email:* [gerry.shakley@faa.gov](mailto:gerry.shakley@faa.gov). For legal questions concerning this Order contact: Rebecca B. MacPherson, Office of the Chief Counsel, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; *telephone:* (202) 267-7240; *facsimile:* (202) 267-7971; *email:* [rebecca.macpherson@faa.gov](mailto:rebecca.macpherson@faa.gov).

**SUPPLEMENTARY INFORMATION:**

**Availability of Rulemaking Documents**

You may obtain an electronic copy using the Internet by:

- (1) Searching the Federal eRulemaking Portal (<http://www.regulations.gov>);
- (2) Visiting the FAA's Regulations and Policies Web page at [http://www.faa.gov/regulations\\_policies/](http://www.faa.gov/regulations_policies/); or
- (3) Accessing the Government Printing Office's Web page at <http://www.gpoaccess.gov/fr/index.html>.

You also may obtain a copy by sending a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue, SW., Washington, DC 20591, or by calling (202) 267-9680. Make sure to identify the amendment number or docket number of this rulemaking.

**Background**

Due to LaGuardia's limited runway capacity, the airport cannot accommodate the number of flights that airlines and others would like to operate without causing significant congestion. The FAA has long limited the number of arrivals and departures at LaGuardia during peak demand periods through the promulgation and implementation of the High Density Rule (HDR).<sup>1</sup> By statute enacted in April 2000, the HDR's

<sup>1</sup> 33 FR 17896 (Dec. 3, 1968). The FAA codified the rules for operating at high density traffic airports in 14 CFR part 93, subpart K. The HDR required carriers to hold a reservation, which came to be known as a "slot," for each takeoff or landing under instrument flight rules at the high density traffic airports.

applicability to LaGuardia operations terminated as of January 1, 2007.<sup>2</sup>

In anticipation of the HDR's expiration, the FAA proposed a long-term rule that would limit the number of scheduled and unscheduled operations at LaGuardia.<sup>3</sup> Because the FAA could not complete that rulemaking by January 1, 2007, the FAA issued an Order on December 27, 2006, adopting temporary limits pending the completion of the rulemaking.<sup>4</sup> This Order was amended on November 8, 2007, and August 19, 2008.<sup>5</sup>

Under the Order, as amended, the FAA (1) maintains the current hourly limits on scheduled (75) and unscheduled (three) operations at LaGuardia during peak period; (2) imposes an 80 percent minimum usage requirement for OAs with defined exceptions; (3) provides a mechanism for withdrawal of OAs for FAA operational reasons; (4) provides for a lottery to reallocate withdrawn, surrendered, or unallocated OAs; and (5) allows for trades and leases of OAs for consideration for the duration of the Order. Without the operational limitations imposed by this Order, the FAA expected severe congestion related delays would occur at LGA and at other airports throughout the National Airspace System (NAS) resulting from capacity constraints at LGA.

On October 10, 2008, the FAA published the "Congestion Management Rule for LaGuardia Airport" final rule ("Congestion Management Rule").<sup>6</sup> The Congestion Management Rule would have become effective on December 9, 2008. The Congestion Management Rule imposes limitations on scheduled and unscheduled operations.

Several parties petitioned for review of the Congestion Management Rule and sought a stay of that rule.<sup>7</sup> On December 8, 2008, the United States Court of Appeals for the District of Columbia Circuit stayed the Congestion Management Rule, which rendered it temporarily ineffective. To prevent this Order from expiring prior while the litigation is pending, the FAA has concluded that it is necessary to extend

<sup>2</sup> Aviation Investment and Reform Act for the 21st Century (AIR-21), Public Law 106-181 (Apr. 5, 2000), 49 U.S.C. 41715(a)(2).

<sup>3</sup> 71 FR 51360 (August 29, 2006); Docket FAA-2006-25709. The FAA subsequently published a Supplemental Notice of Proposed Rulemaking, 73 FR 20846 (Apr. 17, 2008).

<sup>4</sup> 71 FR 77854.

<sup>5</sup> 72 FR 63224; 73 FR 48428.

<sup>6</sup> 73 FR 60574; amended by 73 FR 66517, Nov. 10, 2008.

<sup>7</sup> *Port Auth. of New York & New Jersey v. Fed. Aviation Admin.*, No. 08-1329, consolidated with 08-1331, 08-1332, 08-1333, 08-1343, 08-1344, 08-1355, & 08-1371 (D.C. Cir. filed Oct. 10, 2008).