

15A(b)(6) of the Act because the proposed rule change will preserve fairness in the arbitration process by ensuring that investors maintain their right to have their claims heard in court if their arbitration cases are dismissed on eligibility grounds by tolling the applicable statutes of limitation while their disputes are in arbitration.

#### IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (SR-FINRA-2009-013) be, and hereby is, approved.<sup>25</sup>

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>26</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E9-11608 Filed 5-18-09; 8:45 am]

**BILLING CODE 8010-01-P**

#### DEPARTMENT OF STATE

[Public Notice 6620]

#### Waiver of Restriction on Assistance to the Central Government of Lebanon

Pursuant to section 7088(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (Division H, Pub. L. 111-8) ("the Act"), and Department of State Delegation of Authority Number 245-1, I hereby determine that it is important to the national interest of the United States to waive the requirements of section 7088(c)(1) of the Act with respect to the Government of Lebanon, and I hereby waive such restriction.

This determination shall be reported to the Congress, and published in the **Federal Register**.

Dated: May 7, 2009.

**Jacob L. Lew,**

*Deputy Secretary of State, Department of State.*

[FR Doc. E9-11641 Filed 5-18-09; 8:45 am]

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#### DEPARTMENT OF TRANSPORTATION

##### Office of the Secretary

[DOT-OST-2008-0371]

#### Agency Information Collection Activity for OMB Review: Foreign Air Carrier Application for Statement of Authorization, ICR-2106-0036

**AGENCY:** Department of Transportation (DOT), Office of the Secretary (OST).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995, Public Law 104-13, this notice announces that the Information Collection Request, abstracted below, is being forwarded to the Office of Management and Budget for extension of approval of currently approved ICR-2106-0036, Foreign Air Carrier Application for Statement of Authorization. Earlier, a **Federal Register** Notice with a 60-day comment period was published (73 FR 74223, December 5, 2008). The agency did not receive any comments to its previous notice.

**DATES:** Written comments should be submitted by June 18, 2009.

**FOR FURTHER INFORMATION CONTACT:** George Wellington, (202) 366-2391, Office of International Aviation, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W86-125, Washington, DC 20590. Office hours are from 8:30 a.m. to 5 p.m., Monday through Friday, except Federal holidays.

**Comments:** Comments should be sent to OMB: Attention DOT/OST Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street, NW., Washington, DC 20503, or [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov) and should identify the associated OMB Approval Number 2106-0035 and Docket DOT-OST-2008-0374.

#### SUPPLEMENTARY INFORMATION:

**OMB Approval No.:** 2106-0035.

**Title:** Foreign Air Carrier Application for Statement of Authorization.

**Form No.:** Form OST 4540.

**Type of Review:** Extension of a currently approved collection.

**Respondents:** Foreign Air Carriers.

**Number of Respondents:** approximately 100.

**Estimated Time per Response:** 2.25 hours per application.

**Total Annual Burden:** 1,000 hours.

**Abstract:** Applicants use Form OST 4540 to request statements of authorization to conduct numerous

types of operations authorized under Title 14, CFR Part 212. The form requires basic information regarding the carrier(s) conducting the operation, the party filing the form, the operations being conducted, the number of third- and fourth-freedom flights conducted in the last twelve-month period, and certification of reciprocity from the carrier's homeland government. DOT analysts will use the information collected to determine if applications for fifth-freedom operations meet the public interest requirements necessary to authorize such applications.

**Burden Statement:** We estimate that the industry-wide total hour burden for this collection to be approximately 1,000 hours or approximately 2.25 hours per application. Conservatively, we estimate the compilation of background information will require 1.75 hours, and the completion and submission of OST Form 4540 will require thirty (30) minutes.

Reporting the number of third- and fourth-freedom operations conducted by an applicant carrier will require collection of flight data, and detailed analysis to determine which flights conducted by the carrier are third- and fourth-freedom. Applicants should be able to use data collected for the Department's T-100 program to provide this information (under this program, carriers are required periodically to compile and report certain traffic data to the Department, as more fully described in the Docket referenced in footnote 1 below). The Bureau of Transportation Statistics (BTS) provide carriers with a computer program that allows them to compile and monitor, among other things, flight origin and destination data, to be used in making the carriers' T-100 submissions.<sup>1</sup> We estimated that carriers will require 1.25 hours per application<sup>2</sup> to compile and analyze the data necessary to disclose the number of third- and fourth-freedom flights conducted within the twelve-month period preceding the filing of an application.

Foreign carriers will also have to provide evidence that their homeland

<sup>1</sup> The rule-making associated with the T-100 program can be found on the Federal Docket Management System (FDMS) at <http://www.regulations.gov>, in Docket DOT-OST-1998-4043. Information regarding burden hours is on file in the Office of Aviation Analysis (X-50).

<sup>2</sup> The Office of Aviation Analysis (X-50) estimated that small carriers would require 1 burden hour per report, and large carriers would require 3 burden hours per report to analyze and report T-100 program data. Considering that the data required in this information collection can be derived from data already collected, we have taken an average of the estimated time required, and conservatively shortened the time by 45 minutes because no new data entry will be required.

<sup>25</sup> 15 U.S.C. 78s(b)(2).

<sup>26</sup> 17 CFR 200.30-3(a)(12).

government will afford reciprocity to U.S. carriers seeking authority for the similar fifth-, sixth- and seventh-freedom operations. Carriers may cite certifications submitted by carriers from the same homeland if that homeland issued such certification within the preceding six-month period. Approximately 100 carriers from roughly 30 distinct homelands use OST Form 4540 to apply for statements of authorization annually. We estimate that one foreign carrier from any given homeland will expend roughly 4 hours every six months to obtain certification from its homeland governments.<sup>3</sup> We have apportioned 30 minutes to each application to account for the time required to obtain certifications from homeland governments.

We have no empirical data to indicate how much time is required for a person to complete OST Form 4540; however, anecdotal evidence reveals that respondents spend thirty (30) minutes or less completing the form and brief justification. In some cases, respondents spend a limited amount of time, less than ten (10) minutes, reviewing the form before sending it via facsimile or email to the Department. In the interest of providing a conservative estimate so as to not understate the burden hours, we estimate the hour burden for completing OST Form 4540 as thirty (30) minutes.

Issued in Washington, DC on May 11, 2009.

**Tracey M. Jackson,**

*Office of the Chief Information Officer.*

[FR Doc. E9-11605 Filed 5-18-09; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[NHTSA-2009-0142]

#### Reports, Forms, and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review

**AGENCY:** National Highway Traffic Safety Administration, US DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted

<sup>3</sup> Calculation: (4 burden hours per application) x (30 foreign homelands) x (2 requests per year) = 240 annual burden hours. Apportioning 240 annual burden hours equally among an average of 430 applications annually = approximately 30 burden minutes per application.

below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collections and their expected burden. The **Federal Register** Notice with the 60-day comment period was published on October 3, 2008. No comments were received in response.

**DATES:** Comments must be submitted on or before June 18, 2009.

**FOR FURTHER INFORMATION CONTACT:**

Laurie Flaherty at the National Highway Traffic Safety Administration, Office of Emergency Medical Services

(NTI-140), 202-366-2705, 1200 New Jersey Ave., SE., Washington, DC 20590.

**SUPPLEMENTARY INFORMATION:**

*Title:* E-911 Grant Program.

*OMB Control Number:* N/A.

*Requested Expiration Date of Approval:* Three years from the approval date.

*Type of Request:* New collection.

*Affected Public:* State Governments.

*Form Number:* N/A.

*Abstract:* The Ensuring Needed Help Arrives Near Callers Employing 911 (ENHANCE 911) Act of 2004 (Pub. L. 108-494, codified at 47 U.S.C. 942) authorizes a joint grant program between the National Highway Traffic Safety Administration (NHTSA) of the U.S. Department of Transportation and the National Telecommunications and Information Administration (NTIA) of the Department of Commerce to facilitate coordination among all parties involved in the organization of enhanced 911 (E-911) services.

The Act requires an applicant to certify to several conditions in its application in order to qualify for a grant. Specifically, an applicant must certify that (1) it has coordinated its application with the public safety answering points (PSAPs); (2) it has designated a single officer or governmental body to serve as the coordinator of implementation of E-911 services; (3) it has established a plan for the coordination of and implementation of E-911 services; (4) it has integrated telecommunications services involved in the implementation of E-911 services; and (5) no portion of any designated E-911 charges imposed by the State or other taxing jurisdiction within the State is being diverted for any other purpose during the period at least 180 days before the application date and continuing throughout the period of time for which grant funds are available. In addition, the Act requires grantees to match at least 50 percent from non-Federal sources.

The information collected for this grant program is to include an

application consisting of a State 911 Plan, project budget information and certifications. This information is necessary to determine whether a State satisfies the criteria for a grant award. The agencies intend to use SF-424, which is an approved OMB form, as part of the application for the E-911 grant program. Accordingly, the agencies are not required to obtain OMB approval for the use of that form.

A State must also submit a State 911 Plan as part of its application. This plan must detail the projects and activities proposed to be funded for the implementation of Phase II E-911 services or migration to an IP-enabled emergency network, establish metrics and a timetable for grant implementation, and describe the steps that the State has taken to meet the grant criteria. It is important for the agencies to review each applicant's plan to confirm that the applicant has met certain statutory requirements—a plan for the coordination of and implementation of E-911 services, coordination of its application with PSAPs, involvement of integrated telecommunications services in the implementation of E-911 services, and priority funding to communities without 911 capability.

*Estimated Total Annual Burden:* 10,976.

*Estimated Number of Respondents:* 56 (50 States, District of Columbia, Puerto Rico, American Samoa, Guam, the Northern Mariana Islands, and the U.S. Virgin Islands).

**ADDRESSES:** Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th St., NW., Washington, DC 20503. Attention NHTSA Desk Officer.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the agencies, including whether the information will have practical utility; the accuracy of the agencies' estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Issued in Washington, DC, on May 14, 2009.

**Jeffrey P. Michael,**

*Associate Administrator for Research and Program Development.*

[FR Doc. E9-11658 Filed 5-18-09; 8:45 am]

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