

usefulness.” 56 FR at 28249. FRA intended that the listing be updated whenever it does not accurately identify the person(s) certified and qualified (i.e., when the listing’s usefulness is diminished). Ideally, the listing should be updated each time a person is newly certified and qualified, and each time a person is no longer considered certified or qualified.

With regard to updating the listing of foreign locomotive engineers in joint operation territories, it should be noted that FRA considers it more important to remove the name of any foreign engineer who is no longer considered certified or qualified for joint operations territory than to fail to add a person who has recently become certified and qualified. When a controlling railroad questions a foreign engineer’s certification or qualifications and the engineer’s name is not found on the list, the controlling railroad would be expected to immediately contact the foreign railroad in order to confirm the person’s status before allowing the foreign engineer to proceed into the joint operations territory. Alternatively, if a controlling railroad were to question a foreign engineer’s certification or qualifications and the engineer’s name is found on the list, the controlling railroad would likely be expected to rely on the list and would be exercising due diligence in doing so. If the list is incorrect and the person’s name should have been removed, the controlling railroad cannot be expected to prevent an unqualified person from operating in the joint operations territory.

Several major railroads have voiced concern that because the listing is in such a constant state of flux, it would be extremely difficult to maintain an accurate listing at all times. In the joint operation context, a major railroad may face the challenge of coordinating a listing that includes separate lists submitted by more than 100 foreign railroads. Although FRA agrees that it will be challenging for some railroads that allow extensive joint operations to maintain an accurate written list, such railroads may find it easier to comply by maintaining the listing electronically. Maintaining the listing electronically has always been an option pursuant to § 240.221(f), but it has not been extensively utilized. There is no question that modern technology has greatly improved since the rule’s issuance in 1991, and thus the ability and desire to electronically maintain the listing should be much greater. For example, it is possible to maintain a secure Web site where a controlling railroad can search a foreign railroad’s uploaded list of locomotive engineers to

check: (1) Whether the person is certified and qualified for the joint operations territory; (2) the person’s class of service; and, (3) the date of the railroad’s certification decision. Another option may be for a foreign railroad to tap into its railroad crew management tracking system to produce a more detailed written or electronic list of its engineers to controlling railroads than what is currently being made available. Other electronically maintained options may be available and FRA encourages railroads controlling joint operations to consider options that would improve the usefulness of the required listing. Any railroad that would like to maintain the listing electronically is required to obtain approval from FRA pursuant to the requirements in § 240.221(f).

While FRA recognizes that recent changes in status to any particular engineer might not be reflected in the listing immediately, FRA expects the listing to be updated with enough regularity so that it retains its usefulness.

FRA believes that this notice provides sufficient information to guide parties that may have been confused by the requirements of § 240.221. However, FRA seeks comments on this notice from interested parties including any suggestions for providing more clarity, if necessary. Please refer to the Addresses section for additional information regarding the submission of comments.

Issued in Washington DC on August 21, 2008.

Jo Strang,

Associate Administrator for Safety.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 541

[Docket No. NHTSA–2008–0049]

RIN 2127–AK31

Federal Motor Vehicle Theft Prevention Standard; Final Listing of 2009 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2009

Correction

In rule document E8–18890 beginning on page 47847 in the issue of Friday, August 15, 2008, make the following correction:

Appendix A–I to Part 541 [Corrected]

On page 47849, in Appendix A–I to Part 541, in the second column of the table, in the 44th line entry, “Genesis³” should read “Genesis¹”.

[FR Doc. Z8–18890 Filed 8–28–08; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

RIN 0648–XJ69

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; inseason retention limit adjustment.

SUMMARY: NMFS has determined that the Atlantic tunas General category daily Atlantic bluefin tuna (BFT) retention limit should be adjusted for the September, October–November, and December time periods of the 2008 fishing year, based on consideration of the determination criteria regarding inseason adjustments.

DATES: The effective dates for the adjusted BFT daily retention limits are September 1, 2008, through December 31, 2008.

FOR FURTHER INFORMATION CONTACT: Sarah McLaughlin or Brad McHale, 978–281–9260.

SUPPLEMENTARY INFORMATION:

Regulations implemented under the authority of the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*) and the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) governing the harvest of BFT by persons and vessels subject to U.S. jurisdiction are found at 50 CFR part 635. Section 635.27 subdivides the U.S. BFT quota recommended by the International Commission for the Conservation of Atlantic Tunas (ICCAT) among the various domestic fishing categories, per the allocations established in the Consolidated Highly Migratory Species Fishery Management Plan (Consolidated HMS FMP). The latest (2006) ICCAT recommendation for western Atlantic BFT included a U.S. quota of 1,190.12 mt, effective beginning in 2007, through 2008, and thereafter until changed (i.e., via a new ICCAT