

FINAL REPORT OF THEFT RATES FOR MODEL YEAR 2005 PASSENGER MOTOR VEHICLES STOLEN IN CALENDAR YEAR 2005—Continued

Manufacturer	Make/model (line)	Thefts 2005	Production (Mfr's) 2005	2005 Theft rate (per 1,000 vehicles produced)
219 ROLLS ROYCE	BENTLEY ARNAGE	0	361	0.0000
220 GENERAL MOTORS	CADILLAC FUNERAL COACH/HEARSE	0	854	0.0000
221 GENERAL MOTORS	CADILLAC LIMOUSINE	0	472	0.0000
222 FERRARI	MARANELLO/F1	0	235	0.0000
223 FERRARI	SCAGLIETTI/F1	0	228	0.0000
224 FERRARI	SPIDER/F1	0	1,093	0.0000
225 GENERAL MOTORS	CHEVROLET CLASSIC	0	83,060	0.0000
226 GENERAL MOTORS	GMC K2500	0	51	0.0000
227 HONDA	INSIGHT	0	591	0.0000
228 JAGUAR	XJR	0	741	0.0000
229 JAGUAR	XK8	0	1,760	0.0000
230 NISSAN	ARMADA	0	34,803	0.0000
231 NISSAN	TITAN	0	77,628	0.0000
232 SPYKER	C8	0	7	0.0000
233 VOLVO	XC70	0	14,806	0.0000

Issued on: March 7, 2008.

Stephen R. Kratzke,

Associate Administrator for Rulemaking.

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DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

49 CFR Part 1572

[Docket Nos. TSA-2006-24191; TSA Amendment No. 1572-8]

RIN 1652-AA41

Title: Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector; Hazardous Materials Endorsement for a Commercial Driver's License; Correction

AGENCY: Transportation Security Administration, DHS.

ACTION: Correcting amendments.

SUMMARY: This amendment clarifies that E-2 Visa (Treaty Investor) holders are eligible for a Transportation Worker Identification Credential (TWIC), and corrects an error in the final rule published on January 25, 2007 (72 FR 4392). The amendment adds the E-2 Visa as one of the permissible visa categories for TWIC applicants. Holders of E-2 Visas were explicitly listed as eligible to hold a TWIC in the preamble of the rule, and therefore, this revision carries out the intent of the rule.

DATES: Effective on March 12, 2008.

FOR FURTHER INFORMATION CONTACT:

Christine Beyer, Office of Chief Counsel, TSA-2, Transportation Security

Administration, 601 South 12th Street, Arlington, VA 22202-4220; telephone (571) 227-2657; facsimile (571) 227-1380; e-mail *Christine.Beyer@dhs.gov*.

SUPPLEMENTARY INFORMATION:

Background

On January 25, 2007, the Department of Homeland Security (DHS), through TSA and the United States Coast Guard (Coast Guard), issued a final rule to further secure the Nation's ports and modes of transportation. The rule implemented the Maritime Transportation Security Act of 2002 and the Security and Accountability for Every Port Act of 2006. Those statutes establish requirements regarding the promulgation of regulations that require credentialed merchant mariners and workers with unescorted access to secure areas of vessels and facilities to undergo a security threat assessment and receive a biometric credential, known as a Transportation Worker Identification Credential (TWIC). Subsequently, TSA corrected and amended the final rule on February 7, 2007 (72 FR 5632); March 26, 2007 (72 FR 14049); March 30, 2007 (72 FR 15195); and September 28, 2007 (72 FR 55043).

In the January 2007 final rule, TSA applied its security threat assessment standards that already applied to commercial drivers authorized to transport hazardous materials in commerce to merchant mariners and workers who require unescorted access to secure areas on vessels and at maritime facilities. Also, TSA amended the qualification standards by changing the list of crimes that disqualify an individual from holding a TWIC or a hazardous materials endorsement

(HME), and expanded the immigration standards to permit additional lawful nonimmigrants to apply for and hold a TWIC or HME.

In selecting the immigration status and visa categories that are eligible for a TWIC, TSA focused on the professionals and specialized workers who are employed prevalently in the maritime industry to work on vessels or other equipment unique to the maritime industry. In the final rule, TSA stated that an alien holding one of the following visa categories would be eligible to apply for a TWIC: (1) H-1B Special Occupations; (2) H-1B1 Free Trade Agreement; (3) E-1 Treaty Trader; (4) E-2 Treaty Investor; (5) E-3 Australian in Specialty Occupation; (6) L-1 Intra Company Executive Transfer; (7) O-1 Extraordinary Ability; or (8) TN North American Free Trade Agreement. See 72 FR 3551. However, we inadvertently omitted the E-2 Treaty Investor visa category from the immigration standards in the rule text at 49 CFR 1572.105. With this correcting amendment, we revise § 1572.105 to add the E-2 Treaty Investor as an eligible category for TWIC. This addition requires renumbering paragraph (a)(7) and making conforming editorial changes. Former subparagraph (a)(7)(x) is revised so that it correctly applies to all of paragraph (a)(7), not just (a)(7)(i)-(viii).

List of Subjects in 49 CFR Part 1572

Appeals, Commercial drivers license, Criminal history background checks, Explosives, Facilities, Hazardous materials, Incorporation by reference, Maritime security, Motor carriers, Motor vehicle carriers, Ports, Seamen, Security

measures, Security threat assessment, Vessels, Waivers.

■ Accordingly, 49 CFR part 1572 is corrected by making the following correcting amendment:

PART 1572—CREDENTIALING AND SECURITY THREAT ASSESSMENTS

■ 1. The authority citation for part 1572 continues to read as follows:

Authority: 46 U.S.C. 70105; 49 U.S.C. 114, 5103a, 40113, and 46105; 18 U.S.C. 842, 845; 6 U.S.C. 469.49 U.S.C.

■ 2. In § 1572.105, amend paragraph (a) as follows:

■ a. Revise paragraph (a)(7)(ix).

■ b. Redesignate paragraph (a)(7)(x) as paragraph (xi) and revise.

■ c. Add new paragraph (a)(7)(x).

§ 1572.105 Immigration status.

(a) * * *

(7) * * *

(ix) TN North American Free Trade Agreement;

(x) E-2 Treaty Investor; or

(xi) Another authorization that confers legal status, when TSA determines that the legal status is comparable to the legal status set out in paragraph (a)(7) of this section.

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Issued in Arlington, Virginia, on March 6, 2008.

Mardi Ruth Thompson,

*Deputy Chief Counsel for Regulations,
Transportation Security Administration.*

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 679

[Docket No. 071106671-8010-02]

RIN 0648-XG24

Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Catching Pacific Cod for Processing by the Offshore Component in the Central Regulatory Area of the Gulf of Alaska

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and

Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; closure.

SUMMARY: NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the offshore component in the Central Regulatory Area of the Gulf of Alaska (GOA). This action is necessary to prevent exceeding the A season allocation of the 2008 total allowable catch (TAC) of Pacific cod apportioned to vessels catching Pacific cod for processing by the offshore component of the Central Regulatory Area of the GOA.

DATES: Effective 1200 hrs, Alaska local time (A.l.t.), March 9, 2008, until 1200 hrs, A.l.t., September 1, 2008.

FOR FURTHER INFORMATION CONTACT: Jennifer Hogan, 907-586-7228.

SUPPLEMENTARY INFORMATION: NMFS manages the groundfish fishery in the GOA exclusive economic zone according to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP) prepared by the North Pacific Fishery Management Council under authority of the Magnuson-Stevens Fishery Conservation and Management Act. Regulations governing fishing by U.S. vessels in accordance with the FMP appear at subpart H of 50 CFR part 600 and 50 CFR part 679.

The A season allocation of the 2008 TAC of Pacific cod apportioned to vessels catching Pacific cod for processing by the offshore component of the Central Regulatory Area of the GOA is 1,706 metric tons (mt) as established by the 2008 and 2009 harvest specifications for groundfish of the GOA (73 FR 10562, February 27, 2008).

In accordance with § 679.20(d)(1)(i), the Administrator, Alaska Region, NMFS (Regional Administrator), has determined that the A season allocation of the 2008 TAC of Pacific cod apportioned to vessels catching Pacific cod for processing by the offshore component of the Central Regulatory Area of the GOA will soon be reached. Therefore, the Regional Administrator is establishing a directed fishing allowance of 1,356 mt, and is setting aside the remaining 350 mt as bycatch to support other anticipated groundfish fisheries. In accordance with § 679.20(d)(1)(iii), the Regional Administrator finds that this directed

fishing allowance has been reached. Consequently, NMFS is prohibiting directed fishing for Pacific cod by vessels catching Pacific cod for processing by the offshore component in the Central Regulatory Area of the GOA.

After the effective date of this closure the maximum retainable amounts at § 679.20(e) and (f) apply at any time during a trip.

Classification

This action responds to the best available information recently obtained from the fishery. The Assistant Administrator for Fisheries, NOAA (AA), finds good cause to waive the requirement to provide prior notice and opportunity for public comment pursuant to the authority set forth at 5 U.S.C. 553(b)(B) as such requirement is impracticable and contrary to the public interest. This requirement is impracticable and contrary to the public interest as it would prevent NMFS from responding to the most recent fisheries data in a timely fashion and would delay the closure of Pacific cod apportioned to vessels catching Pacific cod for processing by the offshore component of the Central Regulatory Area of the GOA. NMFS was unable to publish a notice providing time for public comment because the most recent, relevant data only became available as of March 6, 2008.

The AA also finds good cause to waive the 30-day delay in the effective date of this action under 5 U.S.C. 553(d)(3). This finding is based upon the reasons provided above for waiver of prior notice and opportunity for public comment.

This action is required by § 679.20 and is exempt from review under Executive Order 12866.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: March 7, 2008.

Emily H. Menashes

Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.

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