

lawful preservation of a computer program, or of digital materials dependent upon a computer program as a condition of access, by an eligible library, archives, or museum, where such activities are carried out without any purpose of direct or indirect commercial advantage. Any electronic distribution, display, or performance made outside of the physical premises of an eligible library, archives, or museum of works preserved under this paragraph may be made to only one user at a time, for a limited time, and only where the library, archives, or museum has no notice that the copy would be used for any purpose other than private study, scholarship, or research.

(ii) For purposes of the exemption in paragraph (b)(20)(i) of this section, a library, archives, or museum is considered “eligible” if—

(A) The collections of the library, archives, or museum are open to the public and/or are routinely made available to researchers who are not affiliated with the library, archives, or museum;

(B) The library, archives, or museum has a public service mission;

(C) The library, archives, or museum’s trained staff or volunteers provide professional services normally associated with libraries, archives, or museums;

(D) The collections of the library, archives, or museum are composed of lawfully acquired and/or licensed materials; and

(E) The library, archives, or museum implements reasonable digital security measures as appropriate for the activities permitted by this paragraph (b)(20).

(iii) For purposes of paragraph (b)(20) of this section, the phrase “one user at a time” means that for each copy of a work lawfully owned by an eligible library, archives, or museum and preserved under paragraph (b)(20)(i) of this section, such library, archives, or museum may make an electronic distribution, display, or performance of that work outside of its physical premises. An eligible library, archives, or museum may make each copy of such lawfully owned and preserved work available to different users simultaneously. This provision does not permit an eligible library, archives, or museum to make multiple, simultaneous copies of the same copy of a work for the purposes of providing users access to the work.

(21) Computer programs that operate 3D printers that employ technological measures to limit the use of material, when circumvention is accomplished solely for the purpose of using

alternative material and not for the purpose of accessing design software, design files, or proprietary data.

(22) Computer programs, solely for the purpose of investigating a potential infringement of free and open source computer programs where:

(i) The circumvention is undertaken on a lawfully acquired device or machine other than a video game console, on which the computer program operates;

(ii) The circumvention is performed by, or at the direction of, a party that has a good-faith, reasonable belief in the need for the investigation and has standing to bring a breach of license or copyright infringement claim;

(iii) Such circumvention does not constitute a violation of applicable law; and

(iv) The copy of the computer program, or the device or machine on which it operates, is not used or maintained in a manner that facilitates copyright infringement.

\* \* \* \* \*

Dated: October 18, 2024.

**Carla D. Hayden,**

*Librarian of Congress.*

[FR Doc. 2024–24563 Filed 10–25–24; 8:45 am]

**BILLING CODE 1410–30–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

#### 49 CFR Part 225

[Docket No. FRA–2024–0034]

RIN 2130–AC98

#### Federal Railroad Administration Accident/Incident Investigation Policy for Gathering Information and Consulting With Stakeholders; Correction

**AGENCY:** Federal Railroad Administration (FRA), Department of Transportation (DOT).

**ACTION:** Final rule; correction.

**SUMMARY:** On October 1, 2024, FRA published a final rule amending its Accident/Incident Regulations governing reporting, classification, and investigations to codify FRA’s policy for gathering information from, and consulting with, stakeholders during an accident/incident investigation. The published final rule contains errors in the preamble text. FRA is correcting those errors so that the final rule conforms to FRA’s intent.

**DATES:** Effective on November 15, 2024.

**FOR FURTHER INFORMATION CONTACT:** Senya Waas, Senior Attorney, Office of

the Chief Counsel, FRA, telephone: 202–875–4158 or email: [senyaann.waas@dot.gov](mailto:senyaann.waas@dot.gov).

**SUPPLEMENTARY INFORMATION:** In FR document 2024–22326 beginning on page 79767 in the **Federal Register** of October 1, 2024, make the following corrections:

1. On page 79767, in the first and second columns, correct the **DATES** section to read:

**DATES: Effective date:** This final rule is effective on November 15, 2024, unless FRA receives adverse, substantive comment by October 31, 2024. If no adverse, substantive comments are received, FRA will publish a notice in the **Federal Register** indicating that no adverse comment was received and confirming that the rule will become effective on November 15, 2024.

2. On page 79768, in the first column, correct the first paragraph to read:

FRA is publishing this rule without a prior proposed rule under FRA’s direct final rulemaking procedures in 49 CFR 211.33 because it views this as a noncontroversial action that generally codifies FRA’s current process for accident/incident investigations. Under the Administrative Procedure Act (APA), an agency may waive the normal notice and comment procedures if the action is a rule of agency organization, procedure, or practice. 5 U.S.C. 553(b)(3)(A). Additionally, under the APA, an agency may waive notice and comment procedures when the agency for good cause finds that notice and public procedure are impracticable, unnecessary, or contrary to the public interest. 5 U.S.C. 553(b)(3)(B). As noted above, this rule would codify FRA’s procedures for accident/incident investigations and FRA has already worked with stakeholders (both labor and the rail organizations) to develop the Policy Document which is posted on FRA’s website. Accordingly, FRA finds that notice and comment are unnecessary and anticipates no adverse, substantive comment on any of the provisions of the rule. If FRA receives an adverse, substantive comment on any of the provisions, it will publish in the **Federal Register** a timely withdrawal, informing the public that the direct final rule will not take effect.

3. In the *Section-by-Section Analysis*, on page 79769, in the 2nd column, correct the fourth paragraph to read:

Previous paragraphs (b), (c), (d), (e), and (f) remain substantively unchanged but are being redesignated as paragraphs (a)(2) through (6).

4. Under *Regulatory Impact and Notices*, on page 79770, correct table 1 to read as follows:

TABLE 1—TOTAL COSTS OF THE DIRECT FINAL RULE  
[2023 Dollars]\*

Year	Total stakeholder costs	Total government costs	Total costs	Discounted 7%	Discounted 3%	Discounted 2%
1	\$97,922	\$19,753	\$117,675	\$117,675	\$117,675	\$117,675
2	97,922	10,541	108,463	101,367	105,304	106,336
3	97,922	10,541	108,463	94,736	102,237	104,251
4	97,922	10,541	108,463	88,538	99,259	102,207
5	97,922	10,541	108,463	82,746	96,368	100,203
6	97,922	10,541	108,463	77,333	93,561	98,238
7	97,922	10,541	108,463	72,273	90,836	96,312
8	97,922	10,541	108,463	67,545	88,190	94,424
9	97,922	10,541	108,463	63,126	85,622	92,572
10	97,922	10,541	108,463	58,997	83,128	90,757
Total	979,220	114,622	1,093,842	824,336	962,180	1,002,975

Note: This table and some others throughout this analysis may not sum due to rounding.

\* All figures are presented in a 2023 base year unless otherwise noted.

5. Under *Regulatory Impact and Notices*, on page 79774, correct the paragraph before table 13 and the table to read as follows:

*Total Costs*

FRA estimates a total 10-year cost of \$0.9 million (PV, 2 percent) to

stakeholders for this rule. Table 13 displays the total costs to stakeholders for this final rule.

TABLE 13—TOTAL 10-YEAR COST TO STAKEHOLDERS

Year	Travel	Investigation participation	Document submission	Total stakeholder costs	Discounted 7%	Discounted 3%	Discounted 2%
1	\$29,215	\$56,861	\$11,846	\$97,922	\$97,922	\$97,922	\$97,922
2	29,215	56,861	11,846	97,922	91,516	95,070	96,002
3	29,215	56,861	11,846	97,922	85,529	92,301	94,120
4	29,215	56,861	11,846	97,922	79,934	89,613	92,274
5	29,215	56,861	11,846	97,922	74,704	87,002	90,465
6	29,215	56,861	11,846	97,922	69,817	84,468	88,691
7	29,215	56,861	11,846	97,922	65,250	82,008	86,952
8	29,215	56,861	11,846	97,922	60,981	79,620	85,247
9	29,215	56,861	11,846	97,922	56,991	77,301	83,575
10	29,215	56,861	11,846	97,922	53,263	75,049	81,937
Total	292,150	568,610	118,460	979,220	735,907	860,354	897,185

6. Under *Regulatory Impact and Notices*, on page 79774, correct the paragraph above table 14 and the table to read as follows:

*Total Costs*

FRA estimates a total 10-year cost of \$0.1 million (PV, 2 percent) to FRA for

this rule. Table 14 displays the total costs to FRA for this final rule.

TABLE 14—TOTAL 10-YEAR COST TO FRA

Year	Notifications	Outreach/training	Documentation review	Document sharing site	Total government costs	Discounted 7%	Discounted 3%	Discounted 2%
1	\$929	\$631	\$6,311	\$11,882	\$19,753	\$19,753	\$19,753	\$19,753
2	929	631	6,311	2,670	10,541	9,851	10,234	10,334
3	929	631	6,311	2,670	10,541	9,207	9,936	10,132
4	929	631	6,311	2,670	10,541	8,605	9,647	9,933
5	929	631	6,311	2,670	10,541	8,042	9,366	9,738
6	929	631	6,311	2,670	10,541	7,516	9,093	9,547
7	929	631	6,311	2,670	10,541	7,024	8,828	9,360
8	929	631	6,311	2,670	10,541	6,564	8,571	9,177
9	929	631	6,311	2,670	10,541	6,135	8,321	8,997
10	929	631	6,311	2,670	10,541	5,734	8,079	8,820
Total	9,290	6,310	63,110	35,912	114,622	88,431	101,828	105,791

7. Under *Regulatory Impact and Notices*, on page 79775, correct the paragraph above table 15 and the table to read as follows:

*Total Costs*

FRA estimates a total 10-year cost of \$1.0 million (PV, 2 percent) for this direct final rule, shown in Table 15.

TABLE 15—10-YEAR TOTAL COSTS

Year	Total stakeholder costs	Total government costs	Total costs	Discounted 7%	Discounted 3%	Discounted 2%
1	\$97,922	\$19,753	\$117,675	\$117,675	\$117,675	\$117,675
2	97,922	10,541	108,463	101,367	105,304	106,336
3	97,922	10,541	108,463	94,736	102,237	104,251
4	97,922	10,541	108,463	88,538	99,259	102,207
5	97,922	10,541	108,463	82,746	96,368	100,203
6	97,922	10,541	108,463	77,333	93,561	98,238
7	97,922	10,541	108,463	72,273	90,836	96,312
8	97,922	10,541	108,463	67,545	88,190	94,424
9	97,922	10,541	108,463	63,126	85,622	92,572
10	97,922	10,541	108,463	58,997	83,128	90,757
Total	979,220	114,622	1,093,842	824,336	962,180	1,002,975

Issued in Washington, DC.

Allison Ishihara Fultz,  
Chief Counsel, Federal Railroad Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 220919-0193]

RTID 0648-XE334

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Closure of the General Category October Through November Fishery for 2024

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

ACTION: Temporary rule; closure.

SUMMARY: NMFS closes the General category fishery for Atlantic bluefin tuna (BFT) for the remainder of the October through November time period. The General category may only retain, possess, or land large medium and giant (i.e., measuring 73 inches (185 centimeters (cm)) curved fork length (CFL) or greater) BFT when the fishery is open. This action applies to Atlantic Tunas General category (commercial) permitted vessels and Atlantic highly migratory species (HMS) Charter/Headboat permitted vessels with a commercial sale endorsement when

fishing commercially for BFT. This action also waives the previously scheduled restricted-fishing days (RFDs) for the remainder of the October through November time period. With the RFDs waived during the closure, fishermen aboard General category permitted vessels and HMS Charter/Headboat permitted vessels may tag and release BFT of all sizes, subject to the requirements of catch-and-release and tag-and-release programs. On December 1, 2024, the fishery will reopen automatically.

DATES: Effective 11:30 p.m., local time, October 24, 2024, through November 30, 2024.

FOR FURTHER INFORMATION CONTACT: Becky Curtis (becky.curtis@noaa.gov) and Larry Redd, Jr. (larry.redd@noaa.gov) by email or by phone at 301-427-8503.

SUPPLEMENTARY INFORMATION: Atlantic BFT fisheries are managed under the 2006 Consolidated HMS Fishery Management Plan (FMP) and its amendments, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 et seq.) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 et seq.). HMS implementing regulations are at 50 CFR part 635. Section 635.27(a) divides the U.S. BFT quota, established by the International Commission for the Conservation of Atlantic Tunas (ICCAT) and as implemented by the United States among the various domestic fishing categories, per the allocations established in the 2006 Consolidated HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens

Act at 16 U.S.C. 1854(g)(1)(D) to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

Under § 635.28(a)(1), NMFS files a closure action with the Office of the Federal Register for publication when a BFT quota (or subquota) is reached or is projected to be reached. Retaining, possessing, or landing BFT under that quota category is prohibited on or after the effective date and time of a closure action for that category until the opening of the relevant subsequent quota period or until such date as specified.

As described in § 635.27(a), the current baseline U.S. BFT quota is 1,316.14 metric tons (mt) (not including the 25 mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area per § 635.27(a)(3)). The General category baseline quota is 710.7 mt. The General category baseline quota is suballocated to different time periods. Relevant to this action, the baseline subquota for the October through November time period is 92.4 mt. Effective October 2, 2024, NMFS transferred 100 mt from the Reserve category to the General category October through November time period, resulting in an adjusted October through November time period subquota of 192.4 mt (89 FR 81032, October 7, 2024).