

**SUPPORTING STATEMENT  
SOUTHEAST REGION GULF OF MEXICO RED SNAPPER IFQ PROGRAM  
OMB CONTROL NO. 0648-0551**

**A. JUSTIFICATION**

**1. Explain the circumstances that make the collection of information necessary.**

Collection of percent ownership in a corporation from Individual Fishing Quota (IFQ) participants is necessary for the red snapper IFQ program. The IFQ program has a cap on share percent ownership of six percent. Without the ability to track corporate shareholder information, National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NOAA Fisheries Service) will be unable to enforce this share ownership cap.

**2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.**

IFQ participants will add the percent corporate ownership online through their IFQ account. Only appropriate NOAA Fisheries Service personnel will have access to this information. This information will be used to track corporate ownership in order to be sure the IFQ share ownership cap is not violated.

After this initial entry, IFQ participants will provide percent ownership information when renewing their applications for the Federal Permit Application for Fishing in the Exclusive Economic Zone, under Office of Management and Budget (OMB) Control No.: 0648-0205. The currently approved Tax Identification Number (TIN) requirement will be maintained on this permit application so that any permit holders who may acquire IFQ by transfer can be identified for cost recovery purposes.

Collection of the TIN is necessary on program fee submission forms to ensure that we are collecting from the person who owes the debt. If the fee submission and payment are not received, the agency must begin collection processes and those collection processes cannot be initiated or accomplished without the TIN. *NOTE: Because the TIN in this instance is collected for NOAA Fisheries Service cost recovery, there is demonstrable practical utility. In addition, cost recovery is mandated by the Magnuson-Stevens Act (16 U.S.C. 1852 et seq.) as amended in 2006, and the collection of TIN in such an instance is supported by 31 U.S.C. Section 7701.*

As explained above, the information gathered has utility. NOAA Fisheries Service retains control over the information and safeguards it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measure and a pre-dissemination review pursuant to Section 515 of the Public Law 106-554.

**3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.**

The IFQ program is the first completely electronic IFQ program in the nation. All information is processed through online access at <https://ifq.sero.nmfs.noaa.gov>.

**4. Describe efforts to identify duplication.**

The Magnuson-Stevens Act's operational guidelines require each Fishery Management Plan (FMP) to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP. Each Fishery Management Council membership is comprised of state and federal officials responsible for resource management in their area. These two circumstances identify other collections that may be gathering the same or similar information. In addition, each FMP undergoes extensive public comment periods where potential applicants review the proposed permit application requirements. Therefore, NOAA Fisheries Service is confident it is aware of similar collections if they exist. This information is also collected through the Southeast Region Permit Family of Forms (OMB Control No. 0648-0205) to ensure that potential IFQ participants will not violate the share cap if and when they enter the fishery. However, due to the minimal amount of time to complete this information, this duplication is not seen as burdensome.

**5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.**

Because all applicants are considered small businesses or small entities, separate requirements based on size of business have not been developed. Only the minimum data to meet the current and future needs of NOAA Fisheries Service's fisheries management are requested from the vessel owners.

**6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.**

If the percent ownership in a corporation is not collected, NOAA Fisheries Service will have no means to track the share cap in the IFQ program.

**7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.**

There are no special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

**8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.**

A Federal Register notice published on February 14, 2008 (73 FR 8649) solicited comments on this request; no comments were received. Tracking of corporate shareholder information was also addressed in Final Rule, Regulation Identifier Number (RIN): 0648-AS67 (71 FR 67447), published in the Federal Register on November 22, 2006.

**9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.**

There are no payments or other remunerations to respondents.

**10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.**

All data submitted under the proposed collection will be handled as confidential material in accordance with Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), 16 U.S.C. 1881a, Section 402b, and NOAA Administrative Order 216-100, Protection of Confidential Fishery Statistics.

A Privacy Act System of Records Notice, COMMERCE/NOAA-19, Permits and Registrations for United States Federally Regulated Fisheries, was published in the Federal Register on 04/17/2008. If no comments need to be addressed, it is expected that this System of Records will be effective by the end of May 2008.

**11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.**

No questions of a sensitive nature are asked.

**12. Provide an estimate in hours of the burden of the collection of information.**

Going onto the IFQ website and adding the percent ownership information on the website is estimated to take one minute. For each respondent to enter this information, this adds 24 hours to the current total: 1,417 responses x 1 minutes/60 minutes = 24 hours. After this information is added initially, respondents would continue to include it, with no burden added, when completing renewals for their federal EEZ permits (the permit form is being revised in a companion request for OMB Control No. 0648-0205).

Thus, the new response and hour totals would be  $10,244 + 1,417 = 11,661$  and  $1,014 + 24 = 1,038$ .

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).**

There is no additional cost for this information collection; the total continues to be \$383,625.

**14. Provide estimates of annualized cost to the Federal government.**

There is no additional cost.

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

The requirement to add percent ownership to the permit information is a program change which adds 24 hours total.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

These results will not be published.

**17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.**

The OMB Control Number and expiration date will be displayed where appropriate.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

There are no exemptions to the certification statement identified in Item 19 of OMB 83-I.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

This collection does not employ statistical methods.