

**SUPPORTING STATEMENT
FOREIGN FISHING VESSEL IDENTIFICATION REQUIREMENTS
OMB CONTROL NO. 0648-0356**

A. JUSTIFICATION

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

The success of fisheries management programs depends significantly on regulatory compliance. Vessel identification requirements and gear identification requirements are essential to facilitate enforcement. The ability to link fishing (or other activity) and fishing gear to the vessel owner or operator is crucial to enforcement of regulations issued under numerous Federal fishery management statutes. This particular collection relates to the foreign fishing provisions of the [Magnuson-Stevens Fishery Conservation and Management Act](#) ((MSFCMA). Implementing regulations are found at [50 CFR 600.503](#).

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.

Regulations at 50 CFR 600.503 require that a vessel's international radio call sign (IRCS) be displayed on the port and starboard sides of the deckhouse or hull, and on a weatherdeck. This information identifies each vessel and is intended to be visible at distances at sea level and from the air. The information provides law enforcement personnel with a means to monitor fishing, at-sea processing, and other related activities, to ascertain whether a vessel's observed activities are in accordance with those authorized for that vessel. The vessel identification information is used by the National Marine Fisheries Service (NMFS) and the United States Coast Guard (USCG) in patrols and other enforcement-related actions, including issuing violations and pursuing prosecutions. Vessels that qualify for particular fisheries are readily identified, and violators are more efficiently and expediently cited/prosecuted, thereby allowing for more cost-effective enforcement. Cooperating fishermen and other interested parties can also use the vessel identification information to report suspicious activities.

Regulations at 50 CFR 600.503 also provide that foreign fishing vessels deploying gear which is not physically and continuously attached to the vessel must mark such gear with a buoy displaying the vessel identification of the vessel to which the gear belongs and attach a light visible for two miles at night in good visibility. Enforcement personnel rely on the vessel identification information to assure compliance with fisheries management regulations. The gear identification information is used by the NMFS and USCG in patrols and other enforcement-related actions, including issuing violations and pursuing prosecutions. Gear marking helps ensure that a vessel harvests fish only from its own gear and that its gear is not illegally placed. The status of gear in particular fisheries is readily determined, and violators are more efficiently and expediently cited/prosecuted, thereby allowing for more cost-effective enforcement. Gear that is not properly identified is subject to confiscation. Cooperating fishermen and other interested parties can also use the gear identification information to report placement or occurrence of gear in unauthorized areas.

Fishermen in compliance with fishery management regulations ultimately benefit, as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

The information collected will not be disseminated to the public; it consists solely of identification on vessels and fishing gear and is not submitted to NMFS.

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 requirement that each vessel display its IRCS on its deckhouse or hull, and its weatherdeck, does not lend itself to technology. Painting identification information on vessels is the least costly and most efficient method available at this time to provide the information necessary to support enforcement.

The requirement that fishing gear be marked does not lend itself to technology, either. Marking identification information on gear is the least costly and most efficient method available at this time to provide the information necessary to support enforcement.

4. Describe efforts to identify duplication.

There is no duplication of other requirements

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

The collection will not have a significant impact on small businesses or entities.

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

Failure to conduct the collection would make it difficult to enforce the foreign fishing provisions of the MSFCMA.

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

This collection is consistent with Office of Management and Budget (OMB) guidelines.

8. Provide a copy of 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 January 9, 2008 (73 FR 1601) solicited public comments. No comments were received.

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

No payments or gifts will be provided.

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

No assurance of confidentiality is provided to respondents.

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 sensitive questions are asked.

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

With respect to vessel identification, we estimate that 7 vessels will be affected, and that it takes 15 minutes to mark each of the three locations: 7 vessels x 3 markings x 15 minutes/markings = 5.25 hours.

For gearmarking, we estimate per vessel:

2 buoys per line x 2 lines = 4 buoys

4 buoys x 15 minutes for marking = 1 hour for buoy marking

1 light per line x 2 lines = 2 lights

15 minutes to attach a light = 30 minutes for buoy lighting

1 hour marking + 30 minutes lighting = 1 hour and 30 minutes per vessel for gear marking.

However, we do not anticipate that there will be any directed foreign fishing, so no vessels will actually be subject to the gear identification requirement. Therefore, we ask approval for 1 response and 1 hour of burden as a placeholder for the gear identification requirement.

Thus, based on the above, the total number of respondents for this collection is 8 (7 +1) and the number of hours requested is 6 (5 +1).

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).

With respect to vessel identification, we estimate that paint, paintbrush, and perhaps a stencil, would cost about \$25 per vessel, for a total cost of \$175.

With respect to gear identification, vessels possess buoy lights as part of their normal gear, so there would be no additional cost for that requirement. A cost of \$20 per vessel is estimated for marking gear, representing the cost of paint and a paintbrush. However, since no vessels are expected to be subject to the requirement, the total estimated cost for gear identification is \$0.

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

There are no Federal costs.

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

Due to decreased foreign fishing activity, estimated number of vessels, responses and hours have decreased by 3 each, for vessel identification. A placeholder of one vessel, response and hour each has been added for gear marking.

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

No results will 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.

N/A.

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

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection does not employ statistical methods.