

**SUPPORTING STATEMENT  
HIGH SEAS FISHING VESSEL PERMIT APPLICATION, LOGBOOK REPORTING  
AND VESSEL MARKING  
OMB CONTROL NO. 0648-0304**

**A. JUSTIFICATION**

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

This request is for extension of this information collection. The title is also being changed from “High Seas Fishing Permit Application Information” to “High Seas Fishing Permit Application, Logbook Reporting and Vessel Marking” to reflect the merging of OMB Control Nos. 0648-0348 and -0349 into this collection, approved on June 28, 2011.

This information collection is necessary to comply with the [High Seas Fishing Compliance Act](#) (HSFCA), 16 U.S.C. 5501 *et seq.*, which, among other things, requires United States (U.S.) vessels that operate on the high seas to possess a permit issued in accordance with Section 104 of the HSFCA and be marked for identification purposes. HSFCA also requires permit holders to report their fishing activities. Implementing regulations are found at [50 CFR Part 300, Subpart B](#).

HSFCA specifies the information that must be collected on permit applications. The U.S. is obligated to share information collected on the applications with the Food and Agriculture Organization of the United Nations (FAO), which maintains a password-protected list of vessels authorized to fish on the high seas. Vessel identification requirements are essential to facilitate enforcement. The ability to link fishing or other activity to the vessel owner or operator is crucial to enforcement of regulations issued under numerous Federal fishery management statutes.

The collection of information regarding catch and effort on the high seas by vessels holding HSFCA permits is provided for by Section 104(d)(2) of the HSFCA. The requirements are contained in regulations at [50 CFR 300.17](#). In some cases, regulations promulgated under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) require the reporting of catch and effort on the high seas (i.e., logbooks that must be used in the U.S. Exclusive Economic Zone (EEZ) must also be filled out when the reporting vessel is fishing on the high seas). The HSFCA specifically calls upon National Marine Fisheries Service (NMFS) at Section 105(d) to minimize reporting requirements and to the extent practicable, ensure that regulations promulgated under the HSFCA are consistent with regulations promulgated under the MSA. To this end, NMFS considers those HSFCA-permitted vessels that already are reporting their catches and effort on the high seas based on these regulations to be in compliance with HSFCA reporting requirements. This arrangement will avoid imposing any duplicative reporting requirements on HSFCA permit holders.

**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.**

*Permit Application*

Applicants request an HSFCA permit by submitting a completed application form. A copy of the applicant vessel's current United States Coast Guard (USCG) certificate of documentation or state registration is required for purposes of identification and to establish that the applicant vessel is currently documented as a U.S. vessel. The certificate/registration also provides the applicant vessel's official number, port of record, when and where the vessel was built and the vessel's length, all of which are required by the HSFCA.

The majority of the information items in Sections 1, 2, 3 and 5 of the application are either required by the HSFCA or deemed necessary for purposes of identification of the vessel, owner, and operator. The date of birth of the owner is requested to link to other fishery permit databases. A number of NMFS permitting systems use date of birth as a key field. The crew size is required to provide enforcement personnel with advance information as to crew size to be accounted for during a boarding or other inspection.

NMFS is required to comply with the [Debt Collection Improvement Act of 1996](#) (Public Law 104-134), which states, at 31 U.S.C. 7701 (c) (1), "The head of each Federal agency shall require each person doing business with that agency to furnish that agency such person's taxpayer identifying number." The Act further states, at 31 U.S.C. 7701 (c) (2)(B), "For purposes of this subsection, a person shall be considered doing business with a Federal agency if the person is an applicant for, or recipient of, a federal . . . permit . . . administered by the agency." Because applicants for HSFCA permits are "persons doing business" with a Federal agency, NMFS must require applicants for HSFCA permits to provide a taxpayer identifying number such as a Employer Identification Number (EIN) assigned to an applicant's business or a Social Security Number (SSN) assigned to an individual applicant. The HSFCA application form includes a statement advising the applicant that any EIN or SSN provided will not be released to the public.

The information items in Section 4 are required to assist in ascertaining whether the applicant vessel has flown a foreign flag within the last three years and whether the applicant had their permit or license revoked in the past three years. The supplemental information, to be submitted if the vessel has flown a foreign flag, will be used to identify and verify from FAO data whether the applicant vessel, when under foreign flag, violated any natural resource statutes or had a permit or license suspended or revoked. It will also be used to determine whether the vessel is eligible to receive a high seas fishing permit.

The information in Section 6 is required to determine the nature and scope of activities to be carried out by U.S. vessels under the HSFCA so that NMFS can insure applicants are reporting their catches in accordance with the reporting requirements of the various authorized high seas fishing activities.

### *Vessel Markings*

Section 104 of the HSFCA and NOAA's regulation require that a vessel's official number or international radio call sign 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. This 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 identifying number is used by the NMFS, USCG, and other marine agencies in issuing violations, prosecutions, and other enforcement-related actions. Vessels that qualify for particular fisheries are readily identified, and more efficiently and expediently prosecuted, thereby allowing for more cost-effective enforcement. Cooperating fishermen and other interested parties also use the number to report suspicious activities. Fishermen in compliance with fishery management regulations ultimately benefit as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided.

### *Reporting Fishing Activities*

The information collected by the HSFCA family of logbooks will be integrated into the national NMFS fishery statistics system to calculate the catch and effort of U.S. vessels on the high seas. The data collected will be used in the management of fisheries. The U.S. is also obligated to provide such data to the FAO. Aggregated data relating to high seas catches, species composition, effort, etc., will be compiled and made available to the international community through the FAO.

Each logbook sheet begins by collecting information related to the identity of the vessel and the vessel operator, the time frame of the activity being reported, the sequential number of the particular logsheet being filled out, the crew size (of interest from an economics/effort perspective), and whether an observer is onboard. Each logbook sheet also collects, if appropriate, information necessary to identify specific characteristics of the type of gear used. Finally, each logsheet collects the standard information items necessary to ascertain catch and effort for the gear type employed.

Other than the vessel markings, it is anticipated that information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of 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 permit application does not yet involve the use of automated or electronic forms of technology. At this time, application documents must be original and bear an original signature. Fillable, printable forms are available at <http://www.nmfs.noaa.gov/ia/services/highseas.htm>. Logbook forms do not involve the use of electronic forms. Logbooks must also bear a signature.

The requirement that each vessel display an identification number on its deckhouse or hull, and its weatherdeck, does not lend itself to technology. Transponders and vessel monitoring systems are comparatively expensive and their signals cannot be accessed by the USCG in the air or by its vessels at this time. 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.

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

There are no other collections that can substitute for the information required to complete HSFCA applications. The completed applications define unique applications based on an applicant's particular fishing strategies.

There is no duplication with other vessel marking collections.

As for the reporting of fishing activities, duplicative reporting requirements were identified and eliminated. Submission of logbook reports for high seas fishing activities to comply with regulations under MSA would fulfill the HSFCA reporting requirements; thus, the permit holder does not need to submit a separate logbook report for the HSFCA reporting requirements.

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

This collection will not have a significant impact on small businesses, organizations or governmental entities. Using a single vessel as a proxy for a small business, all of the vessels are considered small businesses, but the information collection requirements are the minimum that are needed to administer high seas fishing permits and monitor vessels that operate on the high seas.

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

Failure to collect the information would make it impossible for NMFS to carry out its responsibilities under Section 104 of the HSFCA. The frequency for renewals is five years, a period set by the HSFCA.

As for the frequency of reporting of fishing activities, experience has revealed that less frequent data entry results in the collection of less accurate data. Therefore, to collect the information on a less frequent basis would adversely affect the integrity of the data collected and the goal of collecting data that are as accurate as possible.

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

The collection is consistent with the 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 August 4, 2011 (76 FR 47153) solicited public comment on this renewal. No pertinent 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 are involved.

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

Consistent with [NOAA Administrative Order 216-100](#) (Confidentiality of Fisheries Statistics), NMFS does not release confidential information submitted in compliance with provisions of the [Magnuson-Stevens Fishery Conservation and Management Act](#), Section 402(b), other than in aggregate form and under circumstances required or authorized by law. Whenever data are requested or released to the general public, NMFS ensures that information on the financial business activity of a vessel is not identified. The application forms state that “SSNs will remain confidential and will be protected from disclosure in accordance with applicable law.”

**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.**

*Permit Application*

The estimated annual burden for this collection is 60 hours. The estimate is calculated as follows (permits are valid for 5 years): The response and burden estimates for the permit application are 120 responses, 60 hours, and \$15,533.

$$\begin{aligned} 600 \text{ vessels}/5 \text{ years} &= 120 \text{ per annum} \\ 120 \text{ per annum} \times 30 \text{ minutes per application} &= 60 \text{ hrs} \end{aligned}$$

*Vessel Marking*

The estimated burden for this collection is approximately 38 hours. This is based upon 50 vessels (not already subject to acceptable vessel identification requirements under other regulations) having to be marked in 3 locations at 15 minutes per location:

$$50 \text{ vessels} \times 45 \text{ minutes/vessel} = 37 \text{ hrs and } 30 \text{ minutes (38 hours)}$$

*Reporting Fishing Activities*

There will be an estimated 50 respondents (i.e., vessel operators) using one of the high seas logbooks that are the subject of this collection to report fishing activities on the high seas throughout the year. For purposes of this calculation, each affected vessel has been estimated to spend 180 days per year fishing on the high seas (based on 15 days at sea for each of 12 months). An average response time of 5 minutes per day for filling out a logbook form has been estimated, resulting in an annual burden of 750 hours:

$$50 \text{ vessels} \times 180 \text{ days} \times 5 \text{ min/day} = 750 \text{ hours}$$

The total estimated annual burden for reporting fishing activities is 50 respondents, 9,000 responses (50 vessel x 180 days) and 750 hours.

*Total*

**Thus, the burden estimate for this collection is 9,170 responses (120 + 50 + 9,000) and 848 hours (60 + 38 + 750).**

**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 Question 12 above).**

*Permit Application*

The cost to the public is \$15,533. This is based on a \$129 fee for 120 annual applicants (\$15,480), and \$53 for mailing applications (120 applications x \$0.44).

### *Vessel Marking*

Materials needed are paint and paintbrush, and possibly a stencil. Assuming the cost of supplies is \$25 for each vessel, the cost burden is \$1,250.

### *Reporting Fishing Activities*

Mailing costs for vessels that fished are estimated as follows: \$648 for 50 vessels reporting monthly on 15 days of fishing per month (50 x 12 x \$1.08).

### *Total*

**Total cost burden for this collection is \$17,431 (\$15,533 + \$1,250 + \$648).**

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

Estimated Federal costs for processing applications and issuing permits are calculated as follows:

Approximately one and one-half hours per application for review, verification, data input, permit preparation, copying, filing, etc. and approximately 15 minutes per application for management review results in a hourly burden of 210 for the 120 applications per year, with an average personnel cost of \$20.98 per hour, totalling \$4,406.

Additional costs include printing and reproduction, postage, and computer resources that are estimated to be \$5,763 per year.

**Total annual cost: \$10,169.**

### **15. Explain the reasons for any program changes or adjustments.**

Adjustments: With respect to the reporting of fishing activities, the total annual burden and number of responses are being reduced from 850 hours and 15,000 responses to 750 hours and 9,000 responses, and the reporting/recordkeeping costs from \$3,012 to \$648 (a net decrease based on fewer responses along with the postage cost per mailing having increased from \$0.82 to \$1.08). A review of logbook submissions show that the majority of high seas vessel operators report their fishing activities under MSA regulations rather than under the HSFCA regulations and, thus, the responses under the MSA regulations are no longer included here.

The other two information collections remain the same.

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

The results are not 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.**

Not applicable.

**18. Explain each exception to the certification statement.**

There are no exceptions.

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

This collection does not employ statistical methods.