

**SUPPORTING STATEMENT  
APPLICATIONS AND REPORTS FOR REGISTRATION AS AN AGENT OR TANNER  
OMB CONTROL NO.: 0648-0179**

**A. JUSTIFICATION**

This request is for extension of a current information collection.

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

The [Marine Mammal Protection Act](#) (MMPA) (16 U.S.C. 1361 et seq. – Sections 1371, 1373, 1374 and 1379), mandates the protection and conservation of marine mammals and makes the taking, killing or serious injury of marine mammals, except under permit or exemption, a violation of the Act. An exemption is provided for Alaskan natives to take marine mammals if the taking is for subsistence or for creating and selling authentic native articles of handicraft and clothing. Possession of marine mammals and marine mammal parts by other than Alaskan natives is therefore prohibited (exception, [50 CFR 216.26](#): beach found non ESA teeth or bones that have been registered with the National Marine Fisheries Service (NMFS)). As native handicrafts are allowed by the MMPA to enter interstate commerce, an exemption is also needed to allow non-natives to handle the skins or other marine mammal produce, whether to tan the pinniped hide or to act as an agent for the native to sell his handicraft products.

**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.**

The information required by [50 CFR 216.23](#) is of two types:

Applications: Information is required to identify the applicant as a tanner/agent in order to preclude prosecution under the MMPA and to determine that s/he has an acceptable record keeping program to accurately account for those marine mammal products received. This information serves as a deterrent for those individuals who might use this registration program for entering prohibited marine mammal products into interstate commerce.

Reports: Information is also needed annually to evaluate the agent/tanner's activities during the year, and his/her procedures for bookkeeping and yearly inventory to assure NMFS, the Marine Mammal Commission and the general public that prohibited marine mammal products were not being transshipped through registered agents.

The reporting requirements are:

(a) Report in writing to the Assistant Administrator for Fisheries, National Marine Fisheries Service, any changes in the facts stated in Registrant's applications for this Certificate of Registration within 30 days of such change;

(b) Maintain current records of each transaction under the NMFS authorization, stating the marine mammals or marine mammal parts or products involved, from whom received, any processing accomplished, to whom returned, and the date of each such transaction. These records shall be kept separate and apart from other records maintained in the ordinary course of business and shall be maintained for not less than three years;

(c) Annually, during the month of January, send copies of such records (annual report) by certified mail to the Assistant Administrator for Fisheries.

The National Oceanic and Atmospheric Administration's (NOAA) Fisheries 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 all applicable information quality guidelines. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NOAA Fisheries Service decide to disseminate the information, it will be subject to the quality control measures and 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 process is a simplified registration and reporting system. All forms are sent to the Agent or Tanner applicant by United States (U.S.) mail as well as returned to the NOAA/NMFS/Enforcement Office by U.S. mail. The collection of information does not involve the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

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

A similar registration system exists with the U.S. Fish and Wildlife Service for those marine mammal species for which they have statutory responsibility. These species are different from those marine mammals' species under the purview of NMFS. Based on researching the Fish and Wildlife regulations and comparing them to NOAA's, we determined that the NOAA regulations have fewer specific requirements, and also require only annual reporting (while FWS requires mostly annually reporting, there are some more frequent requirements), and combining the two collections would result in a greater burden for those respondents currently submitting requests for the NOAA-covered species.

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

The information requested is already at a minimum; sufficient only to identify the applicant and to assure NMFS those illegal marine mammal products are not entering interstate commerce.



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

Annual reporting is considered the maximum acceptable limit to adequately monitor activities. Less frequent monitoring would require NMFS to consider alternate methods (i.e., enforcement investigations) to assess the level of marine mammal products in interstate commerce.

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

The collection is consistent 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 elements to be recorded, disclosed, or reported.**

A Federal Register Notice published on September 9, 2013 (77 FR 21971) solicited public comment. No comments were received.

Two respondents (tanners/agents) were contacted for comments concerning collection and reporting of data requested. One respondent commented that he is comfortable with the annual requirement submission of data. Another respondent commented that he likes the ability to submit his required data on his own form instead of being required to use a government form.

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

None are provided.

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

As stated in the program correspondence, assurance of confidentiality is given. However, annual reports will be reviewed and any business information that would aid competition and impact on the registrant would be precluded from release.

**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 of applicants.

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

There are 53 registered respondents who submit reports annually and there are, on average, two new applicants per year. Both applications and reports take approximately 2 hours each to complete. Calculated as follows:

Applications: 2 applicants/year x 2 hours/application = 4 hours annually.

Reports (required starting the first full year after application is approved):

First year: 53 registrants x 1 report/year x 2 hour/report = 106 hours.

Second year: 55 registrants x 1 report/year x 2 hours/report = 110 hours.

Third year: 57 registrants x 1 report/year x 2 hours/report = 114 hours.

Average (annualized) burden for the reports would be 110 hours. Total annualized hours would be 4 (for the 2 applications) plus 110 (average of 55 reports) or a total of 114. Annualized respondents and responses would be 57.

Calculating labor costs at \$25 per hour, the maximum annual labor cost would be \$25 x 118 or \$2,950.

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

The only costs are for mailing and copying. At an estimated \$1 per response, total annualized costs would be \$57.

**14. Provide estimates of annualized cost to the Federal government.** Cost to the government is estimated at 20 hours @ \$25 per hour = \$500.

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

There are no changes or adjustments.

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

There are no plans to publish this information.

**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.**

Not Applicable.

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

This collection does not employ statistical methods.