



**Important:** This information is required by law (16 U.S.C. 1801 et seq., 50 CFR 635.31 (b)).

**Paperwork Reduction Act Notice:** Collection of information through a documentation tracking system provides essential information for the conservation and management of Atlantic billfishes, including the tracking of billfish trade activities. Public reporting burden for this collection of information is estimated to average 20 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: NMFS, Highly Migratory Species (F/SF1), 1315 East-West Highway, Silver Spring, MD 20910. It is NOAA policy to preserve the confidentiality of information submitted under this reporting requirement, except that NMFS may release such information in aggregate or summary form, such that individual identifiers are not disclosed (NAO 216-100). Notwithstanding any other provision of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

### **Privacy Act Statement**

**Authority:** The collection of this information is authorized under the Magnuson-Stevens Fishery Conservation and Management Act, 16 U.S.C 1801 et seq., and 50 CFR Part 635 Highly Migratory Species. Under current regulations, a Billfish Certificate of Eligibility (COE) is required for all first receivers of billfish – except for billfish landed in a Pacific state and remaining in the state of landing – as a condition for the domestic trade of fresh or frozen billfish shipments. A “first receiver” means any entity, person, or company that takes, for commercial purposes (other than solely for transport), immediate possession of the fish, or any part of the fish, as the fish are offloaded from a fishing vessel of the United States whose owner or operator has been issued, or should have been issued, a valid permit under 50 CFR part 635. Dealers or processors who subsequently receive or possess billfish must also retain a copy of the COE while processing the billfish. The document certifies that the accompanying billfish was not harvested from the Atlantic Ocean management unit. The COE must accompany each billfish throughout its chain of custody. A dealer or processor who subsequently receives or possesses billfish covered by an original COE is required only to complete the Dealer’s/Processor’s Declaration and retain a copy of the COE while processing or handling the billfish.

**Purpose:** In order to manage U.S. fisheries, the NOAA National Marine Fisheries Service (NMFS) regulations require a COE as a condition for the domestic commercial trade of fresh or frozen billfish shipments. These requirements augment NMFS' ability to quantify all billfish that enter into commerce of the United States, and to guarantee that these fish were not harvested in or from the Atlantic billfish management unit. The limitations on where billfish can legally be landed for purchase, barter, or trade, relative to the wide area of occurrence of billfishes in the Atlantic and Pacific Oceans, necessitate the current level of reporting to ensure compliance with regulatory requirements. If the information were not collected, or collected less frequently, it would be difficult, if not impossible, to ensure that billfish in commercial trade were not harvested from the Atlantic billfish management unit. The Billfish COE helps to ensure that Atlantic billfish remain a recreational resource.

**Routine Uses:** The information collected on the COE is not disseminated to the public, nor is it used to support information that is disseminated to the public. It is used solely to declare that the accompanying billfish was not harvested from the aforementioned Atlantic billfish management units, to document compliance, and for enforcement purposes. Disclosure of this information is permitted under the Privacy Act of 1974 (5 U.S.C. Section 552a), to be shared within NMFS offices, in order to coordinate monitoring and management of sustainability of fisheries and protected resources. Disclosure of this information is also subject to all of the published routine uses as identified in the Privacy Act System of Records Notice [COMMERCE/NOAA-19](#), Permits and Registrations for United States Federally Regulated Fisheries.

**Disclosure:** Furnishing this information is mandatory. Failure by the chain of custody participants (entity, person, company, dealers, or processors) to provide complete and accurate COE may be subject to a summary settlement.