

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Antarctic Marine Living Resources Conservation and Management Measures
OMB Control No. 0648-0194

A. JUSTIFICATION

This request is for a revision of the current information collection related to the application form used for pre-approval of frozen toothfish imports and reporting form for air-shipped fresh toothfish imports. These forms are being made available on an electronic web-based platform, in addition to the existing fillable pdf format.

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

The 1982 [Convention on the Conservation of Antarctic Marine Living Resources](#) (Convention) established the [Commission for the Conservation of Antarctic Marine Living Resources](#) (CCAMLR) for the purpose of protecting and conserving the marine living resources in the waters surrounding Antarctica. The Convention is based upon an ecosystem approach to the conservation of marine living resources and incorporates standards designed to ensure the conservation of individual populations and species and the Antarctic marine ecosystem as a whole.

The United States (U.S.) is a contracting party to the Convention and a member of CCAMLR and the Scientific Committee established by the Commission.

On November 8, 1984, the President signed Public Law 98-623, the [Antarctic Marine Living Resources Convention Act](#) (the Act). The Act directs and authorizes the United States to take actions necessary to meet its treaty obligations as a contracting party to the Convention.

The burden associated with this information collection has been updated to reflect changes in the public response time labor cost estimates, using the most recent wage data provided by the Bureau of Labor Statistics.

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 reporting requirements included in this information collection concern CCAMLR Ecosystem Monitoring Program (CEMP) activities, scientific research in the CAMLR Convention Area, U.S. harvesting permit applicants and/or harvesting vessel operators, and U.S. importers and re-exporters of Antarctic Marine Living Resources (AMLR).

U.S. regulations require U.S. individuals engaged in AMLR harvesting, transshipping, and importing or entering and/or conducting activities in a CEMP site to apply for and hold a permit

for such activities. Individuals involved in certain scientific research in the CAMLR Convention Area are required to report information.

The regulations comply with and give effect to the Convention. Members of the Convention are required to provide, in the manner and at such intervals as may be prescribed, information about harvesting activities, including fishing areas and vessels, so as to enable reliable catch and effort statistics to be compiled.

Members agree in Article XX of the Convention to take advantage of opportunities to assess the impact of harvesting. Members are also required to provide information to the Commission on steps to be taken to implement the conservation measures adopted by the Commission. Article XXI requires the Contracting Parties to take appropriate action to ensure compliance with the Convention and with the conservation measures adopted by the Commission. Each Contracting Party is required to transmit to the Commission information on these actions, including the imposition of sanctions for any violation.

The Department of Commerce (DOC) has reviewed the Convention and the conservation measures adopted by the Commission and concluded that a permit system is the most effective way to monitor Antarctic resources, provide treaty data to the Commission, meet international obligations, and ensure compliance, without unduly burdening harvesting and importing activities.

U.S. regulations govern the harvest and importation into the United States of any AMLR, part or product, by any person subject to the jurisdiction of the United States, including U.S. citizens and those wishing to import into the United States.

Under the Antarctic Conservation Act of 1978, the National Science Foundation (NSF) has permitting authority for collection of native birds and mammals and certain plants south of 60 degrees South latitude. To minimize the public paperwork burden, regulations set forth at 50 CFR 300 Subpart G exempt an Antarctic harvester or importer holding a permit or an award (as evidenced by an award letter) from NSF or an endangered species or marine mammal permit from the National Marine Fisheries Service (NMFS), from the need to obtain a separate AMLR permit from NMFS. Although a NMFS AMLR permit is not required of NSF permit or award holders, they must comply with data requirements related to both the NSF or NMFS permit or award and CCAMLR data reporting requirements.

I. CEMP Entry Permits

AMLR regulations require that persons proposing to enter or conduct research in a CEMP site submit an application to NMFS for an entry permit. If issued a permit, the holder must abide by all the conditions in the permit, including submission of an annual report describing the activities conducted and any actions not in compliance with the site's management plan. These permits are valid for 5 years. In the event that a CEMP site is also listed as a specially protected site under the Antarctic Conservation Act of 1978, applicants are redirected to the National Science Foundation to submit an application for a dual permit. Although one permit will serve both purposes, annual reporting must be directed to each agency individually for areas within the agency's expertise.

II. Harvest or Transshipment

A. New and exploratory fisheries

The United States issued a Convention Area-harvesting permit to a single U.S. fisherman for a new crab fishery in 1991. When informed of the permit, CCAMLR expressed its strong and collective concern that, although the United States had required the permit holder to submit a Research and Data Collection Plan as a part of the application, the fishery had been authorized even though there was insufficient knowledge of the demographic characteristics of the species.

The Commission agreed that it was particularly important for members to fulfill their treaty obligation to provide statistical, biological, and other information and, as a consequence, adopted conservation measures for new and exploratory fisheries.

1. New fisheries

The Commission adopted a measure which requires Members to notify the Commission when it is considering initiating a new fishery in the Convention Area. The Commission must receive the notification not less than 3 months in advance of the next regular meeting of the Commission. The Member may not initiate the new fishery pending Commission review. The notification to the Commission must be accompanied by as much of the following information as the Member is able to provide:

- The nature of the proposed fishery including target species, methods of fishing, proposed region and maximum catches levels proposed for the forthcoming season;
- Biological information on the target species from comprehensive research/survey cruises, such as distribution, abundance, demographic data and information on stock identity;
- Details of dependent and related species and the likelihood of them being affected by the proposed fishery;
- Information from other fisheries in the region or similar fisheries elsewhere that may assist in the evaluation of potential yield;
- If the proposed fishery will be undertaken using bottom trawl gear, information on the known and anticipated impacts of this gear on vulnerable marine ecosystems, including benthos and benthic communities.

Information on proposed new fisheries is considered by the Scientific Committee, which then advises the Commission. After the Commission reviews the information on the proposed new fishery, taking full account of the recommendations and advice of the Scientific Committee, the Commission may agree to allow the fishery and take other actions it deems necessary.

2. Exploratory fisheries

The Commission adopted a measure on exploratory fisheries. An exploratory fishery is one that has previously been classified as a new fishery and reviewed by the Scientific Committee and Commission prior to its initiation.

An exploratory fishery continues to be classified as an exploratory fishery until sufficient information is available to evaluate the fishery's potential yield, review its potential impacts on

dependent and related species, and allow the Scientific Committee to formulate and provide advice to the Commission on appropriate harvest catch levels, effort levels, and fishing gear.

To ensure that adequate information is available to the Scientific Committee for evaluation during the period when a fishery is classified as exploratory, the Scientific Committee develops and annually updates a Data Collection Plan. Each Member active in the fishery annually submits to CCAMLR the data specified by the Data Collection Plan. Fishing capacity and effort is limited by a precautionary catch limit at a level not substantially above that necessary to obtain the data specified in the Data Collection Plan.

The Data Collection Plan includes, as appropriate:

- A description of the catch, effort, and related biological, ecological, and environmental data required undertaking an evaluation of the fishery;
- A plan for directing fishing effort during the exploratory phase to permit the acquisition of relevant data to evaluate the fishery potential and the ecological relationships among harvested, dependent, and related populations and the likelihood of adverse impacts;
- A plan for the acquisition of any other research data by fishing vessels, including activities that may require the cooperative activities of scientific observers and the vessel, as may be required for the Scientific Committee to evaluate the fishery potential and the ecological relationships among harvested, dependent and related populations and the likelihood of adverse impacts; and
- An evaluation of the time-scales involved in determining the responses of harvested, dependent and related populations to fishing activities

Each Member active in the fishery or intending to authorize a vessel to enter the fishery annually prepares and submits to CCAMLR a Research and Fishery Operations Plan. The plan is to include as much of the following as possible, to assist the Scientific Committee in its preparation of the Data Collection Plan:

- The nature of the exploratory fishery, including target species, methods of fishing, proposed region and maximum catch levels proposed for the forthcoming season;
- Specification and full description of the types of fishing gear to be used;
- Biological information from comprehensive research/survey cruises, such as distribution, abundance, demographic data, and information on stock identity;
- Details of dependent and related species and the likelihood of them being affected by the proposed fishery;
- Information from other fisheries in the region or similar fisheries elsewhere that may assist in the evaluation of potential yield; and

- If the proposed fishery will be undertaken using bottom trawl gear, information on the known and anticipated impacts of this gear on vulnerable marine ecosystems, including benthos and benthic communities.

B. Harvesting and/or Transshipment Permit

CCAMLR requires details on every vessel a member country licenses to fish in the Convention Area, including:

- The name of the fishing vessel (any previous names, if known);
- Registration number and vessel's international maritime organization (IMO) number;
- External markings and port registry;
- The nature of the authorization to fish granted by the flag state, specifying time periods authorized for fishing, areas of fishing, species targeted, gear used;
- Previous flag, if any;
- International radio call sign;
- Vessel communication types and numbers (e.g., INMARSAT A, B and C numbers);
- Name and address of the vessel's owner(s) and any beneficial owner(s), if known;
- Name and address of license owner, if different from vessel owner;
- Length and type of vessel, where and when built;
- Three color photographs of the vessel (showing starboard side, port side, and stern); and
- Details of the implementation of the tamper-proof requirements on the satellite-linked vessel monitoring device.

The Commission requested, to the extent practicable, the following additional information for vessels:

- Name and address of operator, if different from vessel owner;
- Name and nationality of master and, where relevant, of fishing master;
- Beam in meters;
- Gross registered tonnage;
- Normal crew complement;
- Power of main engine or engines in kilowatts;
- Carrying capacity in tonnes;
- Number of fish holds and their capacity in cubic meters;
- Details of ice classification (if any);
- Details of freezing rate capacity; and
- Any other information in respect of each licensed vessel considered appropriate for the purposes of the implementation of the conservation measures adopted by the commission.

NMFS collects this information on the Vessel Identification Form (VIF), as part of the AMLR harvesting and/or transshipment permit application process. The application to harvest and/or transship AMLR includes a section to be completed if a vessel owner is seeking authorization to harvest AMLR and a section if a vessel owner is seeking authorization to transship toothfish. The applicant can complete one or both sections. A permit is issued to the applicant in one of three forms, depending upon whether the vessel is only harvesting AMLR, both harvesting AMLR and receiving transshipments of AMLR, or only receiving transshipments of AMLR.

The Harvesting Information Form (HIF) collects narrative identifying each AMLR target species proposed for harvest, the total tonnage requested (a figure), the CCAMLR statistical area to be fished, the gear to be used and the type and amount of bycatch anticipated. This information is required in order to determine whether the proposed fishery is consistent with CCAMLR conservation measures. The harvesting permit notes the obligation of a permit holder to provide catch data to NMFS and CCAMLR.

If the proposed AMLR harvesting is either a new fishery or an exploratory fishery, the specific narrative description is required as noted above.

Information in the application is used to report required information to the Executive Secretary of CCAMLR.

The NMFS forms associated with applying for a harvesting and/or transshipment permit are:

- Application for Permit to Transship AMLR
- Vessel Monitoring System Certification Statement
- Harvesting Information Form
- Vessel Identification Form
- Additional Information for Vessels Participating in a New or Exploratory Fishery

C. Radio Contact

It may be necessary for operators of harvesting vessels to provide vessel position or other information via radio when requested by the NMFS, the U.S. Coast Guard, an authorized officer, or CCAMLR inspector. This is a routine and necessary law enforcement requirement when dealing with vessels at sea. It consists generally of providing radio call signals and a set of position coordinates immediately prior to a boarding-at-sea for inspection of the vessel and the vessel's activities by law enforcement officials. Such radio contacts are infrequent and brief.

D. Centralized Vessel Monitoring System

The Commission adopted a conservation measure (CM 10-04) to implement a centralized vessel monitoring system (C-VMS). This conservation measure requires vessels fishing in CCAMLR-managed waters to operate a VMS unit that automatically transmits the vessel's position at least every hour to a land-based fisheries monitoring center of its Flag State.

Each Contracting Party to the Convention must forward the VMS reports and messages received to the CCAMLR Secretariat as soon as possible, but not later than one hour after receipt for exploratory longline fisheries or no later than 10 working days following departure from the Convention Area for all other fisheries. The Contracting Party may elect to have C-VMS data communicated directly to the Secretariat in parallel with those reports received by the Flag State.

The use of the centralized satellite-linked VMS is required by the AMLR regulations of all U.S. vessels harvesting AMLR in the CAMLR Convention Area. All U.S. vessels must operate VMS to and from their homeport to ensure VMS coverage throughout the entire fishing operation.

Data from individual vessels shall be used for compliance purposes only, i.e., active surveillance presence and/or inspections, including for the purposes of verifying the contents of a *Dissostichus* Catch Document (DCD), which is used by CCAMLR Members to validate the harvest, transshipment, or landing of toothfish (see subsection III.B below for more information on DCDs).

The U.S. also requires participation in C-VMS in real time, from port to port, for foreign vessels that caught toothfish contained in shipments offered for entry into the United States seafood market. Applications for pre-approval of imports for which the C-VMS on the harvesting vessel was not active as required will not be approved. This requirement addresses experiences with numerous problems with shipments of toothfish that were reported as having been harvested outside the Convention Area but were suspected of having been harvested illegally from inside the Convention Area.

E. Vessel marking

The vessel's name and its International Radio Call Sign (IRCS) must be displayed amidships on both the port and starboard sides of the superstructure or hull, so that it is visible at all times from an enforcement or inspection vessel, from another vessel or from the air. The deck must also be marked with the vessel's IRCS. The markings must meet the specifications in 50 CFR 300.108. The official number provides law enforcement personnel or inspectors with a means to monitor fishing, at-sea processing, and other related activities, to ascertain whether the vessel's observed activities are in accordance with those authorized for that vessel. NMFS, the U.S. Coast Guard, and other agencies generally use the identifying number when issuing violations, prosecutions, and other enforcement actions.

CCAMLR Inspectors are authorized under the CCAMLR System of Inspection to board any fishing or fisheries research vessels of members and contracting parties in the Convention Area and to inspect them for compliance with CCAMLR conservation measures. Member vessels that fish in the Convention Area are readily identified when the vessels are marked and vessel-marking violations are more readily prosecuted, allowing for more cost-effective enforcement. Cooperating fishers also use the vessel markings to report suspicious activities that they observe. Regulation-compliant fisheries ultimately benefit through vessel marking as unauthorized and illegal fishing is deterred and more burdensome regulations are avoided for authorized vessels.

F. Gear Marking

Under 50 CFR 300.108, the operator of vessel fishing pursuant to an AMLR vessel permit in the CAMLR Convention Area must mark all fishing gear with the vessel's identification markings. International CCAMLR Inspectors rely on this information to monitor compliance with fisheries management regulations. NMFS, the U. S. Coast Guard, and other agencies generally use the identifying number when issuing violations, making prosecutions, and taking other enforcement actions. Gear that is not properly marked may be confiscated. CCAMLR Inspectors are authorized, by international agreement, to board vessels harvesting in the Convention Area and to inspect for compliance with CCAMLR conservation measures, including gear restriction and gear marking requirements. Gear marking helps ensure that a vessel harvests fish from its own traps/pots/other gear and that traps/pots/other gear are not illegally placed or used. Gear marking enables fishing violations to be more readily prosecuted and this allows for more cost-effective enforcement.

NMFS regulations do not require the owner of the gear to confirm the specific markings used. There is no information on gear marking kept on file. The markings on the gear allow identification of the owner of the gear in situations involving damage, loss and civil proceedings. There is no dissemination of information to the public.

G. Scientific Observers

CCAMLR adopted a Scheme of International Scientific Observation in 1992 at its 11th annual meeting. Observers placed on board fishing vessels, pursuant to the scheme, observe and report on the operations of fishing activities and the catch of target and related species of living marine resources. Observers undertake tasks and record their observations pursuant to protocols and using forms provided by the CCAMLR Secretariat. These tasks include recording details of vessel operation; taking catch samples; recording biological data by species caught; recording bycatch; recording entanglement and incidental mortality of birds and mammals; recording procedures by which declared catch weight is measured; collecting and reporting factual data on sightings of fishing vessels in the Convention Area, including vessel type identification, position and activity; and collect information on lost fishing gear and garbage disposal by fishing vessels at sea. NMFS regulations require that all U.S. vessels fishing in the Convention Area, including vessels fishing for krill, and all U.S. vessels conducting longline testing outside the Convention Area prior to longline fishing within the Convention Area, carry one or more scientific observers as required by CCAMLR conservation measures and/or NMFS regulations.

For this established observer program, the only information collection subject to the Paperwork Reduction Act is the vessel owner, operator or fisher's request for an observer or observers. In preparation for a trip, the applicable person makes a telephone call either to the Southwest Fisheries Science Center/Antarctic Ecosystem Research Division or directly to an observer provider. The observer is tasked with collection and reporting vessel and fishing effort and catch information to CCAMLR and NMFS.

H. Transshipment Notifications

In accordance with CCAMLR requirements, a vessel operator would be required to provide notification of any transshipment within the Convention Area, of AMLRs or of any other goods or materials, to the CCAMLR Secretariat directly and to submit a confirmation of such

notification to NMFS Headquarters. This notification must be provided at least 72 hours in advance.

III. AMLR Trade Control and Monitoring

A. Permits

As a part of meeting its treaty obligations, the United States must also monitor and control the import, export, and re-export of Antarctic marine living resources.

Any person importing, exporting, or re-exporting AMLRs into the United States must have an International Fisheries Trade permit (IFTP). The IFTP, along with electronic submission of information for import and re-export filings, is under a separate information collection, OMB No. 0648-0732.

A person wishing to import and/or re-export AMLR receives an IFTP permit valid for one year, which is a prerequisite, but not an authorization, for trading in AMLR. Note that there are no exports of AMLR given that no U.S. vessels harvest AMLR at this time and all AMLR coming into the United States are imported from other countries.

This information collected via permits aids NMFS in the development and maintenance of a comprehensive database listing all dealers who import or re-export their product, enabling NMFS to notify all known dealers in a timely fashion of any changes to requirements.

B. Requirements for Toothfish Imports and Exports

Imports of frozen toothfish require a pre-approval certificate issued by NMFS and the appropriate documents from CCAMLR's *Dissostichus* Catch Documentation Scheme (CDS). No shipment of toothfish can be released for entry into the customs territory of the United States unless accompanied by a complete, validated and electronically transmitted *Dissostichus* Catch Document (DCD) issued through the E-CDS web-based system hosted by the CCAMLR Secretariat. A Flag State issues a non-transferable DCD that is uniquely identified for a vessel's fishing trip. Once the master of the harvesting vessel records the catch information and conveys such catch information to their Flag State, it is recorded via the web-based system onto the unique DCD. Upon transshipment or landing toothfish, the landing State accesses the E-CDS web-based system and completes the landing information.

At the time of export, the exporting State will access and complete a *Dissostichus* Export Document (DED) with the export information required by the E-CDS system. Once an export has been completed, the NMFS' CDS officer will be able to access both the DCD and the DED in the E-CDS system. NMFS then accesses the documents associated with that particular import and matches the Electronic Catch Document with the corresponding request for pre-approval. If all information matches, and all other requirements for import are met (such as confirmation of port-to-port C-VMS for the vessel trip) then NMFS approves the import.

Any dealer who imports toothfish must first obtain the document number and the export reference number on the E-DED corresponding to the import shipment. The dealer enters these reference numbers on the pre-approval application for the shipment.

Under current regulations, toothfish caught on the high seas outside the Convention Area in Food and Agriculture Organization (FAO) Statistical Areas 51 or 57 may not be imported. This restriction was imposed due to presumed misrepresentation of catches being from these areas.

Any person who imports frozen toothfish is required to complete an application to NMFS requesting pre-approval to allow import of all shipments that contain frozen toothfish, using the Application for Pre-Approval Certificate to Import Frozen Toothfish. Dealers seeking to apply for pre-approval of an import of frozen toothfish may do so in the NMFS online system for seafood trade tracking. To use the online system, dealers will need to be registered in the online system. The registration will be made upon request, on behalf of the dealer, by NOAA Fisheries. The current fillable pdf application for import pre-approval is also available.

The dealer is required to provide the information described above upon making an application for import pre-approval, along with a payment for the required fee either by check, if using the fillable forms, or using pay.gov, if using the online application. The application, whether using the fillable form or online form, must be submitted so that NMFS receives it at least 10 business days prior to the anticipated date of import. However, some dealers have difficulty obtaining a U.S. Customs form 7501 entry number 10 days in advance of a shipment's arrival. For this reason, NMFS allows dealers to supply the form 7501 entry number within 3 working days of a shipment's arrival. All other information must be submitted 10 days prior to the shipment's arrival. The advance notice requirement is not a burden to importers because frozen toothfish is generally shipped via ocean freight and the needed information is available while the vessel is in transit.

A separate DED with a unique export reference number is required for each export from a foreign nation (and import into the United States). A single DED cannot be used to request pre-approval for multiple shipments. However, a single DCD can be used more than once (in conjunction with different, unique DEDs because the DCD covers the entire catch for that vessel and the catch may be split into separate shipments). The quantity of toothfish listed on the DED must match the quantity listed on the pre-approval application within an allowable variance of 10 percent by weight. The dealer is required to provide the documentation described above so that NMFS receives it at least 10 business days prior to the anticipated date of import. NMFS reviews the documentation submitted, notifies the dealer whether the import will be approved, and if approved issues a certificate of approval to the applicant.

Pre-approval applications for all frozen product must include an application fee of \$200.00. We estimate that we receive 640 applications annually, with 90 percent (576) expected to meet the pre-approval requirement, including the \$200.00 application fee. Pre-approvals may also be denied if applications are not submitted according to the deadline, contain paperwork violations, or did not meet the requirement for the toothfish harvesting vessel to operate C-VMS port-to-port.

Fresh, air-shipped, shipments of toothfish, do not require pre-approval given the shorter lead time for air transport, the infrequency of such shipments, and the small quantities that are shipped. Air shipments of fresh toothfish must be reported within 24 hours of import using the Reporting Form for Shipments of Fresh Toothfish. This form is also available through the online

portal to importers who are registered in the online system. DCD and DED information are also required for fresh shipments.

C. Re-Exports of Toothfish

In the case of re-exports of toothfish, an exporter completes an Application for Re-export of Toothfish, specific to a DCD previously completed for the toothfish that is contained in the particular re-export shipment, the document and export reference number of the original DCD, the species and product type, weight to be re-exported, the name of the importer and point of import, and the exporter's name, address, email, and permit number. The dealer is also required to reference or include the import approval documentation as well. This helps verify the accuracy of the document and export reference numbers. The U.S. CDS Officer creates the re-export certificate through the E-CDS for the dealer and acts as the validating authority to record the re-export document in the E-CDS system maintained by the CCAMLR Secretariat. This re-export document is transmitted with the shipment upon re-export from the United States.

The form associated with the re-export of toothfish is the Application for Re-export of Toothfish.

D. Import Ticket

Within 24 hours of any import of AMLR other than toothfish, the importer must submit a completed import ticket describing the resources imported. The import ticket collects the name and address of the individual and company importing the resource, the resource imported and the date, the quantity of the resource, the harvesting vessel or vessels, and the flag country.

It is anticipated that information collected will be disseminated to the public or used to support publicly disseminated information. Public dissemination will not be made in a manner that discloses confidential business information.

Information Quality Guidelines

NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (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. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, 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.

Electronic copies of NMFS harvesting and dealer forms are available at https://www.cio.noaa.gov/services_programs/prasubs.html. VMS data are electronically transmitted. DCDs are electronically generated, completed and transmitted.

The requirement that each vessel display an identification number on its deckhouse or hull, and its weather deck does not lend itself to advanced technology. The requirement that fishing gear be marked with an identifying number does not lend itself to information technology.

4. Describe efforts to identify duplication.

There is no duplication with collection efforts.

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

Since all of the respondents are considered small businesses, separate requirements based on size of business have not been developed. Only the minimum data are requested.

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

Not collecting this information, or less frequent collection, would not provide DOC/NOAA with the data it must have for adequate and timely monitoring and reporting on the harvesting and importation of AMLR resources. NMFS and the U.S. Coast Guard could not enforce the fisheries management measures and CCAMLR Inspectors could not conduct effective gear inspections, if the gear and vessel are not marked.

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

This collection is conducted in a manner consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden. Describe 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 December 13, 2019 (84 FR 68143) solicited public comments. One comment was received, but it is not pertinent to the information collection.

Applicants were contacted regularly regarding the information collected to monitor trade of AMLR.

NOAA consulted with several importers who participated in a pilot of the new system. These Importers routinely gave feedback regarding access to the system, access to their account within the system, ease of use of the system to file an application as well as feedback on the use of pay.gov to make payment. Feedback provided during this pilot was used to make improvements

to the new system. All participants in the pilot expressed their preference to use the new system in place of the pdf forms. This feedback has been invaluable in creating a system that is tailored to the needs of the applicants as well as enabling the government to service these constituents in a more streamlined manner.

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

No payments or gifts given to respondents.

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

As stated on the collection forms, the data collected will be kept confidential as required by section 402(b) of the [Magnuson-Stevens Act](#) and [NOAA Administrative Order 216-100](#), Confidentiality of Fisheries Statistics, and will not be released in a manner that discloses confidential business information.

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.

There are no questions of a sensitive nature.

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

There are 87 unique respondents, 1,415 responses, 363 hours and \$10,186 in labor costs for this request.

SSA Part	Requirements	Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Burden Hrs / Response	Total Annual Burden Hrs	Hourly Wage Rate	Annual Labor \$
Ia)	5-year CEMP permit application	1	1 / 5 years	0.2	0.2	0.2	\$43	\$43
Ib)	CEMP annual report	1*	1	1	1	1	\$43	\$43
II A)	Applicants for new or exploratory fishery	2*	1	2	28	56	\$14	\$784
II B)	Harvest and/or transshipment applications	5	1	5	2	10	\$14	\$140
II C)	Radio transmissions	5*	2	10	0.0833	0.833	\$14	\$14
II D)	Centralized VMS	5*	1	5	6.0833	14.0833	\$14	\$196
	Installation (burden averaged over 5 years)	5*	1	5	4	4		
	VMS certifications (burden averaged over 5 years)	5*	1	5				
	Maintenance	5*	1	5	2	10		
	Installation & Activation Checklist (burden averaged over 5 years)	5*	1	5	0.0833	0.0833		

	Annual VMS transmission costs	5*	1	5	N/A	N/A		
II E)	Vessel Marking	5*	3	15	0.25	3.75	\$14	\$53
II F)	Gear Marking (2 Longline vessels, 1 Crab Vessel, 2 Trawl Vessels)	5*	307	314	0.1499	11	\$14	\$154
	Buoys/floats	2	4	8	0.0833	0.6664		
	Traps/pots	1	300	300	0.0333	9.99		
	Tag Sewn into Net (Trawl gear)	2	3	6	0.0333	0.1998		
II G)	Request for Observer	5*	1	5	0.0833	0.4165	\$14	\$14
II H)	Transshipment Notification	1*	5	5	0.25	1.25		
III A)	First Receiver Permit Applications (includes designating a registered agent)	1	1	1	0.25	0.25	\$33	\$33
III B)	Toothfish Import/Export	82*	7.8536	644	0.25155	162	\$33	\$5,346.00
	Shipments of Fresh Toothfish	2*	2	4	0.5	2		
	Pre-Approval Applications	80*	8	640	0.25	160		
III C)	Re-Export of Toothfish	10*	40	400	0.25	100	\$33	\$3,300
III D)	Import Tickets	2*	4	8	0.25	2	\$33	\$66
	TOTALS			1415.2		363		\$10,186

* Respondents in this column are not additive: unique respondents are the CEMP applicant, 5 vessels/vessel representatives, 1 first receiver applicant, and 80 dealers. All asterisked figures indicate the same set or a subset of one of these three respondent categories.

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).

SSA Part	Requirements	Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Burden Hrs / Response	Total Annual Burden Hrs	Cost Burden / Response	Total Annual Cost Burden
Ia)	5-year CEMP permit application	1	1 / 5 years	0.2	0.2	0.2	0.55	\$0.55
Ib)	CEMP annual report	1*	1	1	1	1	0.55	\$0.55
II A)	Applicants for new or exploratory fishery	2*	1	2	28	56	0.55	\$1.10
II B)	Harvest and/or transshipment applications	5	1	5	2	10	0.55	\$2.75
II C)	Radio transmissions	5*	2	10	0.0833	0.833	N/A	N/A
II D)	Centralized VMS	5*	1	5	6.0833	14.0833	3201.1	\$7,003.30
	Installation (burden averaged over 5 years)	5*	1	5	4	4	\$2,250.00	\$2,250.00
	VMS certifications (burden averaged over 5 years)	5*	1	5			\$0.55	\$0.55
	Maintenance	5*	1	5	2	10	\$350.00	\$1,750.00
	Installation & Activation Checklist (burden averaged over 5 years)	5*	1	5	0.0833	0.0833	0.55	\$2.75
	Annual VMS transmission costs	5*	1	5	N/A	N/A	\$600	\$3,000.00

II E)	Vessel Marking	5*	3	15	0.25	3.75	\$25	\$125
II F)	Gear Marking (2 Longline vessels, 1 Crab Vessel, 2 Trawl Vessels)	5*	307	314	0.1499	11	\$25	\$125
	Buoys/floats	2	4	8	0.0833	0.6664		
	Traps/pots	1	300	300	0.0333	9.99		
	Tag Sewn into Net (Trawl gear)	2	3	6	0.0333	0.1998		
II G)	Request for Observer	5*	1	5	0.0833	0.4165	\$1.50	\$7.50
II H)	Transshipment Notification	1*	5	5	0.25	1.25	N/A	N/A
III A)	First Receiver Permit Applications (includes designating a registered agent)	1	1	1	0.25	0.25	0.55	0.55
III B)	Toothfish Import/Export	82*	7.8536	644	0.25155	162	\$199.31	\$128,354.20
	Shipments of Fresh Toothfish	2*	2	4	0.5	2	0.55	\$2.20
	Pre-Approval Applications	80*	8	640	0.25	160	\$200.55	\$128,352
III C)	Re-Export of Toothfish	10*	40	400	0.25	100	0.55	\$220.00
III D)	Import Tickets	2*	4	8	0.25	2	0.55	\$4.40
	TOTALS			1415.2		363		\$135,844.90

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

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZA-III	\$71,600	1%		\$716
Other Federal Positions	ZS-III	\$39,028	57%		\$22,246
Contractor Cost					
Travel					
Other Costs:					
TOTAL					\$22,962

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

Program Change:

NOAA Fisheries is implementing an electronic web-based system as an option to replace the current fillable pdf form for both the Application for *Pre-Approval Certificate to Import Frozen Toothfish* and the *Reporting Form for Shipments of Fresh Toothfish*. Both methods, fillable pdf and online forms, of the pre-approval application, will be available to dealers. The electronic web-based system will be available to all dealers seeking to import toothfish along with the option to make payment of the \$200 fee using pay.gov for application for pre-approval made using the new system. The web-based system is fully developed and ready for use upon OMB approval of this revision. Because the forms may still be submitted via mail, the \$0.55 postage cost is included for each toothfish reporting form. There are no changes to the response times anticipated for the newly available electronic web-based system. However, NOAA Fisheries will continue to monitor the response times and will revise if needed at the renewal period.

Changes have been made on the public labor cost estimates, according to recent Bureau of Labor Statistics (BLS) information. BLS wage data for the following categories were used in the labor cost estimates:

- Physical scientist - \$43
- Vessel operator/Ship captain - \$14
- First receiver/processor - \$33
- Wholesale trade and broker - \$33

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

The Ecosystem Monitoring and Management Working Group of the CCAMLR Scientific Committee compiles the research and required permit reports submitted by Member States on CEMP site activity and presents these findings in a published form to the Commission. These published reports are available to Member delegations and to interested individuals from the Commission. NMFS does not plan to make available results of any of the information collections discussed above on the Internet. The Executive Secretary of CCAMLR publishes information on harvesting vessel licenses, harvesting activity, and toothfish trade on password protected sections of the CCAMLR website.

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 DCD will not display the OMB control number, the expiration date, or the PRA burden statement because the DCD is a CCAMLR form and having a US-specific version would not be feasible. The DCD is used by many countries in international trade, and alteration to the DCD would lead to confusion and disruption of customs clearance in other countries. NOAA will request that CCLAMR include a note in the e-CDS system, CCLAMR's electronic system that populates the DCD, that the DCD is associated with OMB control number 0648-0194 for US stakeholders.

18. Explain each exception to the certification statement.

There are no exceptions for compliance with provisions in the certification statement.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.