

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Foreign Fishing Vessel Permits, Vessel, and Gear Identification, and Reporting Requirements
OMB Control No. 0648-0075

Abstract

This is a request for extension of an existing collection. Foreign Fishing activities can be authorized under the Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1801 et seq.). The collection of information from permitted vessels is necessary to monitor vessel activities and location for enforcement purposes. Reports are also necessary for fishery management purposes, monitoring the amounts of fish, if any, permitted vessels harvest or receive from United States (U.S.) vessels in joint venture operations.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The National Marine Fisheries Service (NMFS) issues permits, under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*; MSA), to foreign fishing vessels fishing or operating in U.S. waters. MSA and associated regulations at 50 CFR Part 600 requires applications for the permits, vessels and certain gear be marked for identification purposes, and for permit holders to report their fishing effort and catch or, when processing fish, amount and locations of fish received from U.S. vessels. These requirements apply to all foreign vessels fishing, transshipping, or processing fish in U.S. waters.

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

Information is collected from persons who operate a foreign fishing vessel in U.S. waters to participate in a directed fishery or joint venture operation, transship fish harvested by a U.S. vessel to a location outside the U.S., or process fish in internal waters.

Each person may be required to submit information for a permit, mark their vessels and gear, or submit information about their fishing activities. To facilitate observer coverage, foreign fishing vessel operators must provide a quarterly schedule of fishing effort and upon request must also provide observers with copies of any required records. For foreign fishing vessels that process fish in internal waters, the information collected varies somewhat from other foreign fishing vessels that participate in a directed fishery or a joint venture operation.

In particular these vessels may not be required to provide a permit application or mark their vessels. The information submitted in applications is used to determine whether permits should be used to authorize directed foreign fishing, participation in joint ventures with U.S. vessels, or transshipments of fish or fish products within U.S. waters.

The display of identifying numbers on vessels and gear aid in fishery law enforcement and allows other fishermen to report suspicious activity. Reporting of fishing activities allows monitoring of fish received by foreign vessels. Foreign fishing activity reports are made by radio when fishing begins or ceases, to report on transfers of fish, and to file weekly reports on the catch or receipt of fish. Weekly reports may be submitted by e-mail.

Recordkeeping requirement for foreign vessels include a communications log, a transfer log, a daily fishing log, a consolidated fishing or joint venture log, and a daily joint venture log. These records must be maintained for three years. Paper forms are used for foreign fishing vessel permit applications. No information is submitted for the vessel and gear marking requirements.

Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
1	Reports on fish received by foreign vessels operating in U.S. waters, from U.S. vessels	N/A	50 CFR 600.501	N/A	Used by the BUREAU to track transshipment of fish.
Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
2	Information packet for vessel ID form and 3 permit types: directed, joint venture and transshipment	N/A	50 CFR600.501	N/A	Used by agency to register vessels applying for fishing or transshipment in U.S. Exclusive Economic Zone
Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
3	Daily Fishing, Daily Join Ventures and Daily Consolidated Logs	N/A	50 CFR600.501	N/A	Used by agency to register vessels applying for fishing or transshipment in U.S. Exclusive Economic Zone
Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
4	Foreign Fishing Vessel and Gear Identification Requirements	N/A	50 CFR600.503	N/A	Used by U.S. enforcement agencies to visually verify that vessels are conforming to regulations

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

Electronic copies of forms for weekly reports and logs are available at http://www.nmfs.noaa.gov/gpea_forms/. Activity reports and permit applications may be submitted via e-mail.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2

Information collected in connection with these requirements is unique.

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

This collection will not have a significant impact on small businesses, organizations or governmental entities.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

Failure to collect the information would make it impossible for NMFS to carry out its responsibilities under the MSA. If this information were to be collected less frequently, the management of fisheries stocks would be impaired and the fish stocks might be harmed.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner:

This collection requires reports more frequently than quarterly since quarterly reports are not timely enough to allow monitoring of quotas and thus may not be adequate for collection of information necessary for stock assessment purposes. Otherwise, this information collection is conducted in a manner consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publications 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.

A Federal Register Notice was published on March 25, 2020 (85 FR 16929). No comments were received.

There are continuing communications, as appropriate, with NMFS personnel who administer the NMFS National Observer Program and with the designated agents and representatives of foreign fishing nations. These contacts provide ongoing opportunities for the exchange of ideas regarding the requirements of this information collection.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No gifts or payments are provided.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

No Personally Identifiable Information (PII) is collected. Data submitted based on this information collection will be accorded confidentiality pursuant to 50 CFR Part 600, Subpart E.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

No questions of a sensitive nature are included in this information collection.

12. Provide estimates of the hour burden of the collection of information.

We are estimating an annual burden of 22 hours for reporting and recordkeeping under this collection, broken down as follows; 5 hours for joint venture reporting and recordkeeping requirements, 8 hours for foreign fishing and transshipment permit applications, 5 hours for reporting requirements for foreign vessels operating in internal waters, and 4 hours for foreign fishing vessel and gear identification requirements. Further details on how these burdens were calculated are below.

With respect to the reporting and record keeping requirements for foreign vessels operating in internal waters, we assume that an FFV would make 2 activity reports per year and 8 weekly reports per year, spending 30 minutes per report, totaling 10 responses and a burden of 5 hours $[(2+8)(30) = 300/60 = 5 \text{ hours}]$.

With respect to foreign fishing, joint venture, and transshipment permit application requirements, we estimate preparation of the annual application package including the vessel identification form will take approximately 2 hours for any applications, for a total of 1 response and 2 hours.

With respect to the reporting and record keeping requirements for foreign fishing joint ventures, we assume that an FFV would make 2 activity reports per year and 8 weekly reports per year, spending 30 minutes per report, totaling 10 responses and a burden of 5 hours $[(2+8)(30) = 300/60 = 5 \text{ hours}]$.

With respect to foreign fishing vessel identification requirements, it is estimated 4 vessels would be affected, and that it would takes 60 minutes to mark each of the three locations: 4 responses and 4 hours (4 vessels x 1 hour/vessel = 4 hours.)

Total respondents, responses and hours: 4, 25 and 16.

Hourly wages estimate is based on BLS's *Occupational Outlook Handbook*.

<https://www.bls.gov/bls/blswage.htm>. Respondents for each IC is a vessel owner or captain, which is listed in the Handbook as 45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers.

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Reports on fish received by foreign vessels operating in U.S. water, from U.S. vessels	45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers	1	10	10	.5	5	\$25.25	\$126.25
Information packet for vessel ID form and 3 permit types: directed, joint venture and transshipment	45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers	1	1	1	2	2	\$25.25	\$50.50
Daily Fishing, Daily Joint Ventures and Daily Consolidated Logs	45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers	1	10	10	.5	5	\$25.25	\$126.25
Foreign Fishing Vessel and Gear Identification Requirements	45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers	1	4	4	1	4	\$25.25	\$202.00
Totals				25		16		\$625.00

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

The estimated total annual cost to the public is \$1,725 in recordkeeping/reporting costs, broken down as follows: For foreign fishing joint venture reporting requirements, the cost to respondents would include emails, copying and/or phone calls to appropriate NMFS and Coast Guard offices averaging \$2.00 per weekly report and daily log (10 estimated), totaling \$20.

For foreign fishing vessel permit applications, copying and mailing costs are estimated at \$5 with application fees estimated at (\$395/vessel X 4 vessels = \$1,580) for a total cost of \$1,585.

For foreign fishing vessels operating in internal waters reporting requirements, the costs to respondents would include email transmissions that should not exceed \$8 per month or \$2 per week. On an annualized basis, such costs would be estimated to be 10 weekly reports at \$2 per weekly report or \$20 per year.

For foreign fishing vessel and gear identification requirements, we estimate paint and brush costs at \$25 per vessel for a total cost of \$100.

Information Collection	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Cost Burden / Respondent (h)	Total Annual Cost Burden (i) = (c) x (h)
Reports on fish received by foreign vessels operating in U.S. water, from U.S. vessels	1	10	10	\$2	\$20
Information packet for vessel ID form and 3 permit types: directed, joint venture and transshipment	1	1	1	\$1585	\$1585
Daily Fishing, Daily Joint Ventures and Daily Consolidated Logs	1	10	10	\$2	\$20
Foreign Fishing Vessel and Gear Identification Requirements	1	4	4	\$25	\$100
TOTALS	4	25	25	\$1614	\$1725

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

Annualized costs to the Federal Government has been estimated at \$3,316 to cover salary costs needed to process applications and issue permits for foreign fishing vessels. One permit processor at 2 percent annual effort and a supervisor are necessary to process all information and record information.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	GS-14/II	\$125,360	2%		\$2507.20
Other Federal Positions	GS-15/V	\$161,730	.5%		\$808.65
Contractor Cost					\$0
Travel					\$0
Other Costs:					\$0
TOTAL					\$3,315.85

15. Explain the reasons for any program changes or adjustments reported in ROCIS.

This renewal reflects only changes to the estimated number of respondents and responses. There are no programmatic changes from previous years. The information collection is mandated by the Magnuson Stevens Reauthorization Act. We do not expect any future applications or uses of this information collection, so have reduced the numbers to the minimum.

Respondents have been decreased from 17 to 4. Additionally, the fees for application for the IC “Information packet for vessel ID form and 3 permit types: directed, joint venture and transshipment” have been decreased to reflect current permit processing protocols, and have decreased the overall cost of the IC.

Information Collection	Respondents		Responses		Burden Hours		Reason for change or adjustment
	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	Current Renewal / Revision	Previous Renewal / Revision	
Reports on fish received by foreign vessels operating in U.S. water, from U.S. vessels	1	2	10	24	5	12	There has been no activity in the IC for the past 5 years, and the agency does not expect any.
Information packet for vessel ID form and 3 permit types: directed, joint venture and transshipment	1	7	1	7	2	8	The agency has only received one application per year for the years 2017 and 2018. We do not foresee any applications in the future.
Daily Fishing, Daily Joint Ventures and Daily Consolidated Logs	1	1	10	196	5	56	There has been no activity in the IC for the past 5 years, and the agency does not expect any.
Foreign Fishing Vessel and Gear Identification Requirements	1	7	4	8	4	6	There has been no activity in the IC for the past 5 years, and the agency does not expect any.
Total for Collection	4	17	25	235	16	82	
Difference	-13		-210		-66		

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Reports on fish received by foreign vessels operating in U.S. water, from U.S. vessels	\$126.25	\$303	\$20	\$72	There has been no activity in the IC for the past 5 years, and the agency does not expect any.
Information packet for vessel ID form and 3 permit types: directed, joint venture and transshipment	\$50.50	\$202	\$1585	\$2878	The agency has only received one application per year for the years 2017 and 2018. We do not foresee any applications in the future.
Daily Fishing, Daily Joint Ventures and Daily Consolidated Logs	\$126.25	\$1,414	\$20	\$212	There has been no activity in the IC for the past 5 years, and the agency does not expect any.
Foreign Fishing Vessel and Gear Identification Requirements	\$202.00	\$151.50	\$100	\$175	There has been no activity in the IC for the past 5 years, and the agency does not expect any.
Total for Collection	\$1614	\$2,070.5	\$1,725	\$3,337	
Difference	-\$456.5		-\$1,612		

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The results will not be published.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The agency plans to display the expiration date for OMB approval of the information collection on all instruments.

18. Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).