

**SUPPORTING STATEMENT**  
**U.S. Department of Commerce**  
**National Oceanic & Atmospheric Administration**  
**Highly Migratory Species Dealer Reporting Family of Forms**  
**OMB Control No. 0648-0040**

**Abstract**

This is a resubmission, with the final rule, of a request for revision of an existing information collection. The revision to this information collection package is due to two modifications to the dealer reporting requirements for the Individual Bluefin Quota (IBQ) reporting program that are being implemented by Amendment 13 to the 2006 Consolidated Atlantic HMS Fishery Management Plan (RIN 0648-BI08).

First, Amendment 13 removes the requirement that bluefin tuna dead discard reports from pelagic longline vessel trips be submitted to the IBQ system via dealer reports. Second, Amendment 13 eliminates the current requirement that vessel operators/owners enter the PIN associated with their vessel IBQ account to confirm that the landing report information entered into the IBQ System by the dealer is accurate. No changes were made to this collection between the proposed and final rule stages.

**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.**

This request is for revision and extension of previously approved information collections from seafood dealers regarding purchases, sales, imports, exports, or re-exports of Atlantic HMS, including federally managed bigeye, albacore, yellowfin, and skipjack (BAYS) tunas, bluefin tuna (BFT), sharks, and swordfish (SWO). Transactions that are covered under this collection include purchases of Atlantic HMS from commercial fishermen and portions of required reporting for import/export of all BFT, frozen bigeye tuna (BET), southern bluefin tuna (SBT), or SWO, regardless of geographic area of origin. The information collected is used to monitor the harvest of domestic fisheries, and/or track international trade of internationally managed species.

Domestic catch/landing data are necessary to effectively manage domestic fisheries. This information is used to monitor quotas, estimate fishing mortality, and identify the geographic and temporal distribution of fish and fisheries. Collection of this information for use in domestic fishery management is authorized under the [Magnuson-Stevens Fishery Management and Conservation Act](#) (16 U.S.C. 1801 *et seq.*) (MSA). Regulations at [50 CFR 635.5](#) implement domestic dealer reporting requirements. The domestic reporting covered by this collection

includes domestic weekly or bi-weekly landings reports and negative reporting (*i.e.*, reports of no activity, when applicable), and bluefin tuna daily landings, including tagging of individual fish.

International trade-tracking programs are required by both the International Commission for the Conservation of Atlantic Tunas (ICCAT) and the Inter-American Tropical Tuna Commission (IATTC). An overall goal of these programs is to reduce illegal, unreported and unregulated fishing for the covered species, and improve management of associated fisheries. The programs are designed to account for all international trade of covered species by requiring that a statistical document (SD) or catch document (CD) accompany each export from and import into a member nation, and that a re-export certificate (RXC) accompany each re-export. Collection of this information to implement certain international fishery management recommendations is authorized under the [Atlantic Tunas Convention Act](#) [ATCA; 16 U.S.C. 971(d)] and implemented in regulations at [50 CFR 300 Subpart M](#). These information collections are covered under OMB Control No. 0648-0732.

The United States (U.S.) is a member of ICCAT and authorized by ATCA to promulgate regulations, as necessary and appropriate, to implement recommendations adopted by ICCAT. ICCAT has adopted recommendations for the mandatory implementation of CD, SD and RXC trade-tracking programs for BFT, frozen BET and SWO. In 2016, ICCAT implemented an electronic version of its CD program for BFT (eBCD). U.S. regulations implementing ICCAT SD and CD programs require SDs and CDs for international transactions of the covered species from all ocean areas, so Pacific imports and exports must also be accompanied by SDs and CDs. Since there are SD programs in place under other international conventions (*e.g.* the Indian Ocean Tuna Commission), an SD from another program may be used to satisfy the SD requirement for imports into the United States.

The United States is also a member of the IATTC, and required under the [Tunas Convention Act of 1950](#) (TCA; 16 U.S.C. 955) to implement recommendations adopted by IATTC. IATTC has mandated a trade-tracking program for frozen BET, which NMFS has implemented for shipments of frozen BET from the Pacific Ocean.

Dealers who internationally trade SBT are required to participate in a trade-tracking program implemented by the Commission for the Conservation of Southern Bluefin Tuna (CCSBT). This facilitates enforcement of ICCAT's BFT CD program by ensuring that imported Atlantic and Pacific BFT will not be intentionally mislabeled as SBT in order to circumvent reporting requirements. This action is authorized under ATCA, which provides for the promulgation of regulations as may be necessary and appropriate to carry out ICCAT recommendations.

In 2016, NMFS implemented the US International Trade Data System which consolidated trade reporting as required by the SAFE Ports Act of 2006 (Pub. L. 109–347). Collection of SDs, CDs, and RXCs was removed from this collection, and transferred to the collection OMB Control No. 0648-0732 that supported RIN 0648-AX63. However, this collection continues to include associated biweekly reports and SC, CD, and RXC validation.

This information collection is revised to remove the requirement that 1) bluefin tuna dead discard reports from pelagic longline vessel trips be submitted to the Catch Shares Online System via the dealer, and 2) that vessel operators enter the PIN associated with their vessel IBQ account to confirm that the landing report information entered into the Catch Shares Online System by the dealer is accurate. These data elements were previously provided as part of BFT dealers' requirements under the IBQ Program. The requirement for dealers to report bluefin dead discards was identified as being redundant as IBQ vessels are also required to report these dead discards via their VMS system after each gear set (OMB Control No. 0648-0372). With the elimination of the dealer requirement to report dead discards, dealers will no longer be required report information on catches that they would not directly observe as they will now only have to report on the harvested bluefin tuna they purchased. To simplify the process, vessel operators will no longer be required to confirm the reported landings information by entering their vessel IBQ account PIN, but will instead receive an email through the Catch Shares Online System as a means to allow vessel oversight of the dealer landings transaction that debits the vessel account.

**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.**

### **Atlantic BFT Daily Landing Reports and Tagging**

This is a mandatory reporting requirement for all federally-permitted Atlantic HMS dealers purchasing bluefin tuna from pelagic longline and purse seine vessels. NMFS uses the information collected in this portion of the reporting package to monitor U.S. landings of Atlantic BFT in relation to the assigned quota, thereby ensuring that the United States complies with its international obligations to ICCAT. In addition, provisions of domestic regulations such as time/area closures, fishing seasons, and sub-quotas by gear type and/or user group are monitored through these reporting instruments. The data collected are also used to assess the status of the BFT resources. Data reports are reviewed by ICCAT annually, and provide the basis for ICCAT management recommendations that become binding on member nations.

This portion of the package describes daily Atlantic BFT reporting requirements. A uniquely numbered tail tag must be affixed to each Atlantic BFT purchased from a fisherman. These tag numbers must be recorded on the electronic Atlantic BFT Daily Landing Report found in the SAFIS electronic reporting system ([https://safis.accsp.org:8443/safis\\_prod/f?p=SAFIS:101](https://safis.accsp.org:8443/safis_prod/f?p=SAFIS:101)), the Atlantic BFT Individual Bluefin Quota (IBQ) Electronic Landing Report (<https://portal.southeast.fisheries.noaa.gov/cs/main.html#>; only for BFT caught by pelagic longline or purse seine gear), and the Atlantic BFT Domestic Biweekly Dealer Landing and Trade Report (discussed below). SAFIS electronic dealer landing reporting is used for daily, real-time quota monitoring, and dealers must enter landing data into the SAFIS electronic dealer reporting system within 24 hours of purchasing an Atlantic BFT. The Atlantic BFT portion of the Catch Shares Online System keeps track of individual bluefin quota usage, allocation, and allocation sale. Note -- Domestic landings of Pacific BFT are not included in this collection, and the use of tail tags is optional for trade of Pacific BFT.

### **SAFIS BFT electronic dealer landing reporting**

The following information is collected:

- 1) Date the fish was landed;
- 2) Gear type used to capture the BFT - used for estimating catch per unit effort as part of stock assessment;
- 3) Length and weight of fish & measurement method (curved or straight length / round or dressed weight) - used to determine age of fish and population structure; weight used for quota management;
- 4) Tail tag number - identifies fish and provides cross reference with biweekly report, and is used in place of CD validation;
- 5) Area caught - provides information on spatial and temporal distribution of fish and fishing, and aids in enforcement of area closures;
- 6) Port landed - identifies principal ports for the fishery, temporal distribution of fish, and aids in enforcement;
- 7) Fisherman and vessel name, and vessel identification number (state registration or USCG documentation number) - provides vessel permit enforcement information.

### **Atlantic BFT Daily IBQ Electronic Landing Report (for purchases from pelagic longline or purse seine vessels only)**

The following information will continue to be collected;

- 1) Vessel name;
- 2) Length and weight of bluefin tuna purchased;
- 3) Tail tag number for bluefin tuna purchased;

The following information is being removed from these reports per the regulatory changes implemented under Amendment 13. Discard reports have been submitted so infrequently that no changes to the average burden estimate per report are anticipated from this change in reporting requirements.

- 1) Size class and number of all bluefin tuna discarded by vessel during trip;
- 2) PIN for vessel IBQ account to verify purchase.

### **Atlantic BFT Electronic Biweekly Landing & Trade Reports**

This is a mandatory reporting requirement for all federally-permitted Atlantic HMS dealers purchasing bluefin tuna from vessels fishing under the Atlantic Tunas General and Harpoon category quotas. NMFS uses biweekly reports to monitor Atlantic BFT landings and to track the trade of Atlantic BFT. Beginning in 2021, respondents will be able to submit this reporting electronically. Information on the purchase, sale, and disposition of Atlantic BFT is collected. The following information is collected on the Atlantic BFT Biweekly Dealer Landing and Trade Report:

- 1) Biweekly reporting period;
- 2) Dealer name, Atlantic Tunas Dealer permit number, and name of person filling out report;
- 3) Date of landing;
- 4) Vessel permit I.D. number - used for enforcement purposes;

- 5) Tail tag number - used to identify the fish and cross-reference with daily landing report and BFT SD;
- 6) Weight of the fish (round or dressed) - used to cross-reference daily landing report information and collect economic information;
- 7) Nature of sale (dockside or consignment) - used in assessing the relative importance of the Japanese and U.S. domestic markets;
- 8) Price per pound - important for evaluating economic characteristics of the fishery;
- 9) Quality rating - assists in determining how regulations affect price of BFT; and
- 10) Destination of fish (domestic, import, export, or re-export) - used for assessing importance of foreign market, cross-referencing export data, and identifying variables that can affect all markets.
- 11) Nature of sale, price and fish destination are collected for use in economic analyses required for federal action.

### **Non-BFT Electronic Landing Reports**

NMFS requires mandatory weekly electronic reporting by all federally-permitted Atlantic HMS dealers for Atlantic SWO, BAYS tunas, and Atlantic sharks. NMFS requires electronic reporting by all federally-permitted Atlantic HMS dealers for Atlantic SWO, BAYS tuna, and Atlantic sharks. This includes both positive and negative reports. Swordfish, shark, and BAYS tuna dealers must submit an electronic report for each trip that they purchase of these species from a vessel. At a minimum, electronic reports (including negative reports) must be submitted weekly. Electronic dealer reports collected through other Atlantic reporting systems (SAFIS, Bluefin LLC Tripticket programs, etc.) are automatically sent to the HMS e-Dealer system and fulfill HMS weekly electronic reporting requirements. In addition, NMFS requires Atlantic HMS dealers to provide a current e-mail address for official communication with dealers, and a phone number. If not already included in their permit data (collected under OMB 0648-0327), HMS dealers may submit their email address and phone number via e-mail, fax, or phone.

The information collected through the electronic reporting system is used to account for domestic landings of managed species; track landings against Atlantic swordfish, BAYS tuna, and Atlantic shark quotas; and assess stocks of these species. This information may be submitted in conjunction with non-HMS species purchased during the same reporting period, thus reducing the reporting burden on dealers. If no HMS, or other federally-managed species, are purchased or accepted during the specified reporting period, a negative report must still be filed. This requirement clarifies for NMFS whether or not a report is pending from the dealer for the reporting period. The following information is required in the HMS electronic landing report:

- 1) Dealer information (including dealer name, dealer contact information, and dealer permit numbers);
- 2) Species-specific information (including which species purchased/accepted, state landed, grade and market information, purchase price and/or total sale information, weight of fish purchased by species, and information on shark fins);
- 3) Vessel information (including date landed, vessel documentation number, fishing vessel name (if applicable) the area where the fish was caught, fishing vessel logbook number, Southeast observer log identification, gear types used, name of port where fish landed, and trip number);

- 4) Report information (including date and time submitted and disposition of product);
- 5) Dealer explanations (including information regarding late reporting, modified data, and whether or not shark fins were naturally attached, and explanation for no fishing logbook ID, if applicable);
- 6) Negative reports (including the date and time submitted).

### **Voluntary Fishing Vessel and Catch Form**

In order to assist dealers in completing the HMS Non-BFT Electronic Landing Report, NMFS has developed a voluntary form that dealers can obtain via the electronic reporting system and give to fishermen. Dealers can ask fisherman from whom they obtain fish to complete the form and return it to them. Otherwise, dealers would need to follow up with fishermen to collect required information in their electronic HMS dealer reports. This provides a convenient tool for fishermen to convey catch information to HMS dealers, who are required to include such information in their HMS *e-Dealer* reports. The voluntary forms are not collected by the agency, nor is the data provided within them used for management purposes outside of what is subsequently reported through the electronic HMS dealer reports.

The following types of information can be collected by the dealers on this form:

- 1) Fishing vessel trip information (contact name, phone number, and e-mail address; fishing vessel name and fishing vessel documentation number);
- 2) Date HMS were offloaded;
- 3) Indication if any landings came from the Atlantic shark research fishery;
- 4) Southeast Observer log ID number (if applicable);
- 5) Fishing vessel logbook ID number (or explanation if no logbook available); 6) Species landed (check from list);
- 7) Area where HMS were caught (fishermen can provide grid area code from included map);
- 8) Gear used to land HMS (select from list).

### **HMS Trade Electronic Biweekly Report**

This is a mandatory reporting requirement for all federally-permitted Atlantic HMS dealers participating in international trade of BFT, SBT, frozen BET, and SWO which NMFS monitors on a biweekly basis. NMFS monitors international trade of BFT, SBT, frozen BET, and SWO on a biweekly basis. Beginning in 2021, respondents will be able to submit this reporting electronically. This information is used to cross-check and verify SD data (discussed below), as well as obtain economic information that is essential for domestic management policy and rulemaking with respect to management impacts on prices. The following information is required on the HMS Trade Biweekly Report:

- 1) Dealer Name;
- 2) HMS International Fisheries Trade Permit number;
- 3) Contact name and phone number;
- 4) Report time period;
- 5) For each shipment/fish:
  - a. Species

- b. Statistical document and re-export certificate (if applicable) number - cross checks trade documentation;
- c. Entry number from U.S. customs form 7501 (import only) - allows for cross check of trade data with customs data;
- d. Date of import or export;
- e. Total weight of shipment (import only) - cross check with trade data;
- f. Condition (fresh or frozen) and product form (round, headed, gutted, steaks, fillets, loins, dressed) - used to assess how regulations and other factors affect ex-vessel prices and gross revenues;
- g. Weight of each fish (if available) - used to estimate gross revenues and cross-check trade data;
- h. Price per kilogram - used to evaluate the status of the market and gross revenues;
- i. State/landing document # - cross check used for non-government validation;
- j. Tag number (if applicable) - cross checked with trade data for verification;

Destination of fish (import, domestic, export, re-export) - cross checks with trade data and customs data.

### **Catch Documents, Statistical Documents, and Re-export Certificate Validation**

NMFS has worked with ICCAT with the intent of minimizing the public reporting burden for the government validation requirement. ICCAT/IATTC require that CDs, SDs, and RXCs, be validated by a government institution at export. For example, in the United States, Atlantic BFT are tagged when landed, and the numbered tag stays with the carcass. ICCAT and U.S. regulations exempt tagged fish from validation requirements since the BFT data associated with the tag number must be provided to NMFS and can be tracked. In addition, NMFS has instituted a validation service, which is available on a 24 hour/7 day per week basis to accommodate the requirement for government validation of RXC's covering products being re-exported from the United States. NMFS may also authorize non-governmental industry partners to validate CDs, once they have met the necessary requirements. The entity must apply for authorization in writing to NMFS, and indicate the procedures to be used for verification of information to be validated, list the names, addresses, and phone/fax numbers of individuals to perform validation, and provide an example of the stamp or seal to be applied to the statistical document or re-export certificate. Upon approval, NMFS will issue a letter specifying the duration of effectiveness and conditions of authority for validation. Authorization must be renewed annually.

Although the information collection described above is not expected to be disseminated directly to the public, it may be used to develop or review fishery management plans and associated regulatory documents, and is therefore subject to NOAA's Information Quality Guidelines. 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 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 NMFS 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 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.**

**SAFIS BFT Daily Landing Reporting:**

SAFIS BFT daily landing reports are submitted electronically via the SAFIS electronic reporting system. For Atlantic BFT purchased from Longline and Purse Seine category vessels, dealers must submit an electronic IBQ daily landing report to support the management of IBQ shares. NMFS is working to connect these reporting systems and Biweekly Landing Reports into an integrated electronic system.

**Atlantic Swordfish, Sharks, and BAYS Tunas Electronic Landing Reports (e-Dealer):**

HMS dealers of Atlantic swordfish, sharks, and BAYS tunas are required to report to NMFS using an electronic reporting system (e-Dealer). The availability of electronic form submissions reduces the overall cost and administrative burden to the public by providing access to electronic forms that can be completed on the computer and submitted electronically. The electronic reporting system for Atlantic swordfish, sharks, and BAYS tunas, is available through the current SAFIS website based system (<http://safis.accsp.org/>), the Southeast electronic reporting system built and maintained by Bluefin Data LLC, an HMS-only system housed in the ACCSP environment (edealer), and through a customized electronic system used by large Atlantic Coast dealers, which is managed by the Northeast Fisheries Science Center. This reduces the need for dealers to report to multiple programs and reduces duplication of reporting (see also response to Question 4).

**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.**

The impacts of the reporting requirements were analyzed prior to implementation through rulemaking processes including public review. No duplicative efforts were identified and considerable effort has been put forth to utilize existing reporting systems and thereby avoid duplication. The Atlantic HMS Management Division of NMFS works closely with other NMFS offices on reporting and permitting issues, and ensures that reporting regulations are not duplicative. Although daily and weekly landing reports and reporting forms may include some of the same data fields, this information is necessary to cross reference and cross check reports. NMFS has attempted to combine SDs with other reporting requirements into a single form in the past; however, ICCAT did not approve the use of forms other than those developed specifically

by ICCAT. NMFS has combined its electronic reporting system for Atlantic swordfish, sharks, and BAYS tunas with the other three main electronic reporting systems used in the Greater Atlantic and Southeast regions in order to reduce the number of places dealers must report. In addition, the United States is participating in discussions through regional fishery management organizations to determine ways of using technology to reduce paperwork and improve the efficacy of trade monitoring programs, such as ICCAT's eBCD program.

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

Small businesses will be the respondents of this data collection and this collection will not have a significant impact on them. As described in Question 4, reporting requirements have been condensed as much as possible. In addition, electronic dealer reporting has been implemented, as discussed in Questions 3 and 4.

**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.**

***Atlantic BFT Landing Reports and Tagging*** - If reporting were conducted less frequently or not conducted at all, the United States could overharvest its internationally approved BFT quota, and would fall out of compliance with its international obligations under ICCAT, in violation of ATCA. In addition, the status of the resource would be indeterminable since approximately 55 percent of the western Atlantic BFT Total Allowable Catch is allocated for landing by U.S. fishermen. Furthermore, it would be impossible for the United States to formulate domestic policy consistent with the Magnuson-Stevens Act, which is based on sound socioeconomic and biological data and analyses. If BFT landings data were not included in the IBQ electronic reporting system, then NMFS would not be able to implement individual bluefin tuna quotas that were included as a management measure in Amendment 7 to the 2006 Consolidated HMS FMP. These quotas are awarded to individual pelagic longline and purse seine vessels and most of the pelagic longline quotas are less than one metric ton (mt). Timely and accurate electronic IBQ monitoring is vital for IBQ accounting purposes and thus, for implementation of the IBQ program.

***Atlantic Swordfish, Sharks, and BAYS Electronic Landing Reports (e-Dealer)*** - A reporting frequency of two weeks was in effect prior to electronic reporting requirements, with an additional 10 days to submit reports, and did not provide timely data for species with small quotas, such as Atlantic sharks. Thus, to effectively monitor quotas, NMFS determined that more frequent reporting was needed for Atlantic swordfish, sharks, and BAYS tuna. In 2013, NMFS implemented an electronic reporting system to streamline dealer reporting and allow for dealer data to be collected in a more real-time basis, and to be consistent with reporting in both the Greater Atlantic and Southeast regions. Inefficient quota monitoring or altogether loss of monitoring could result in over-harvest of the ICCAT-recommended U.S. swordfish quota, which would violate obligations under ICCAT and ATCA. Over-harvest of HMS quotas (including sharks) could negatively impact stocks and the fishing industry, and violate the

Magnuson-Stevens Act. Lastly, this information is necessary for the development of domestic policy, since it provides socio-economic and biological data upon which policy decisions are based.

***Government Validation of Catch Documents, Statistical Documents, and Re-export Certificates*** - If government validation for the SD and CD programs were not implemented, then U.S. product would not be accepted for import by other RFMO member nations. Without the authorization of non-government validation, NMFS would be required to individually validate each export and re-export, which would impose a greater reporting burden on industry. If authorization were not renewed annually, in the same manner that dealer and vessel permits are annually renewed, NMFS would not be able to effectively monitor implementation of the trade program.

***Voluntary Fishing Vessel and Catch Form*** – This is a voluntary form that fishermen could leave with HMS dealers to help with their required electronic dealer reports. If this information were not collected via the form, dealers would need to follow up with fishermen to collect required information in their electronic HMS dealer reports.

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

The frequency with which data are collected in this package is inconsistent with OMB guidelines that respondents should not be required to report information more often than quarterly. To accurately monitor the domestic quota allocation among a diverse group of users, Atlantic BFT, swordfish, sharks, and BAYS tuna landings data must be collected on a real-time basis (or as close to real-time as possible). Failure to maintain the reporting frequency as described under Question 2 could jeopardize the agency's ability to close fisheries prior to exceeding a quota. (See Question 6 also regarding reporting frequency).

**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.**

NMFS published a proposed rule (RIN 0648-BI08) in the *Federal Register* on May 21, 2021. The comment period closed on July 20, 2021.

Several commenters supported simplification of the dealer reporting requirements for the IBQ Program. Blue Water Fishermen's Association stated that removal of the bluefin dead discard reporting and personal identification number (PIN) requirements would lead to more timely reporting and better data.

NOAA Fisheries agrees that the removal of the bluefin dead discard reporting and PIN requirements will streamline the dealer reporting requirements. Vessel operators have a high rate of compliance with the requirement that they report bluefin dead discards using their Vessel Monitoring Systems, and therefore the requirement that dealers also report dead discards is redundant. The intent of the PIN requirement was to provide an opportunity for vessel operators to ensure accurate information regarding bluefin transactions with the dealer and correct accounting of bluefin in the IBQ System and IBQ vessel accounts. In practice, most vessel owners have not entered their PIN into the IBQ System at the time of offloading. Vessel operators have instead provided the PIN to the dealer with whom they usually conduct business to enable the dealer to retain the PIN and enter the number each time a bluefin landing (from that particular vessel) occurs, to streamline logistics and communication during offloading. Instead of the PIN requirement, vessel owner oversight of the dealer transactions will be through automated email notification of the shareholder when dealer transactions in the Catch Shares Online System occur.

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

No payments or gifts are offered as part of this information collection.

**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.**

Pursuant to Section 402(b) of the Magnuson-Stevens Act, as amended in 2007, and consistent with [NOAA Administrative Order 216-100](#) (Confidentiality of Fisheries Statistics), NMFS does not release confidential information submitted in compliance with provisions of the MSA, other than in aggregate form and under circumstances required or authorized by law. Whenever data are requested or released to the general public, NOAA ensures that information on the financial business activity of a dealer is not identified.

This information is covered by a Privacy Act System of Records Notice COMMERCE/NOAA-6, Fishermen's Statistical Data, amended version published on March 10, 2017 (82 FR 47259).

A Privacy Act Statement for these reports is posted at: <https://www.fisheries.noaa.gov/atlantic-highly-migratory-species/atlantic-highly-migratory-species-permits-and-reporting-forms>.

**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 information of a sensitive nature is requested in this collection of information.

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

Number of respondents, responses, burden hours, and annual wage burden costs associated with each reporting instrument are given in Table 1 and estimation of burden hours is discussed below by reporting requirement. All reports covered by this collection are required to be kept by the dealer for a period of 2 years. The burden hour estimate for each report includes the time required for filing and storing reports.

**Table 1.** Respondent universe, number of responses, burden estimates, and burden annual wage cost estimates for each reporting instrument included in this collection.

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)
<b>1. Atlantic Bluefin Tuna Daily Landing Report and Tag</b>	<b>BFT Dealers</b>	<b>430</b>		<b>10,965</b>		<b>268.75</b>		<b>4,488.13</b>
1a. Atlantic BFT Daily Landing Report	BFT Dealers	430	12	5,160	0.03	172.00	\$16.70	\$2,872.40
1b. Atlantic BFT IBQ Daily Electronic Landing Report (for landings from purse seine & longline vessels)	BFT Dealers	430	1.5	645	0.02	10.75	\$16.70	\$179.53
1c. Atlantic BFT Landing Tag	BFT Dealers	430	12	5,160	0.02	86.00	\$16.70	\$1,436.20
2. Atlantic BFT Biweekly Landing and Trade Report	BFT Dealers	430	1	430	0.25	107.50	\$16.70	\$1,795.25
3. HMS Trade Biweekly Report	HMS Dealers	700	5	3,500	0.25	875.00	\$16.70	\$14,612.50
<b>4. HMS Dealer Weekly Landing Reports for Sharks, Swordfish and BAYS Tuna including negative reports and capital costs</b>	<b>HMS Dealers</b>	<b>700</b>		<b>139,790</b>		<b>13,924.17</b>		<b>\$232,533.58</b>

4a. HMS Electronic Landing Report for Swordfish, Sharks, & BAYS Tuna (e-Dealer)	HMS Dealers	700	11.5	8,050	0.25	2,012.50	\$16.70	\$33,608.75
4b. HMS Electronic Landing Report for Swordfish, Sharks, & BAYS Tuna (e-Dealer) "file upload" version	HMS Dealers	700	3.2	2,240	0.50	1,120.00	\$16.70	\$18,704.00
4c. HMS Weekly Negative Reports (e-Dealer)	HMS Dealers	700	185	129,500	0.08	10,791.67	\$16.70	\$180,220.83
5. Submission of e-mail address (for new HMS dealers)	HMS Dealers	20	1	20	0.02	0.33	\$16.70	\$5.57
6. Fishing Vessel and Catch Form	HMS Fishermen	8,836	0.6	5,302	0.25	1,325.40	\$16.70	\$22,134.18
7. Non-governmental validation authorization	Non-government institution	2	1	2	2.00	4.00	\$16.70	\$66.80
8. Validation of Catch Documents, Statistical Documents, and Re-export Certificates	International Dealers	510	29	15,016	0.25	3,754.00	\$16.70	\$62,691.80
<b>Totals</b>				<b>175,025</b>		<b>20,259</b>		<b>\$338,327.81</b>

The universe of respondents for this collection is identified in Table 2, and includes the following: all U.S. dealers importing or exporting BFT, frozen BET, SWO, or SBT (International Fisheries Trade Permit holders); U.S. Atlantic dealers that purchase Atlantic SWO, BAYS tuna, or sharks; all dealers purchasing BFT; and non-government institutions requesting validation

authorization. Finally, an estimated number of international dealers is provided, because burden hours must be calculated for international respondents as well as domestic respondents. International dealers impacted by this collection include exporters that must obtain validation for SDs, CDs, and RxCs prior to exporting a shipment to the United States. The number of international dealer respondents was calculated by identifying the number of countries exporting frozen BET (3), Atlantic, Pacific and Southern BFT (14), or SWO (34) to the United States during 2017, and assuming that there were approximately 10 active exporters per country. This information was obtained from: <https://www.fisheries.noaa.gov/national/commercial-fishing/foreign-trade/raw-data/raw-data-by-date>.

The number of non-government institutions authorized for validation is estimated at two, since the most authorizations ever issued in a year was two. The total number of respondents is likely overestimated and ensures burden and costs are not underestimated because some individuals may hold more than one type of permit.

**Table 2 Estimated total number of respondents for this collection**

<b>Respondent Type</b>	<b>Number*</b>
International Fisheries Trade Permits*	348
Shark Dealer Permits	104
Swordfish Dealer Permits	200
Tuna Dealer Permits (BFT, BAYS or both), includes:	
BAYS only dealers	65
BFT only dealers	97
BAYS and BFT dealers	328
International Dealers	510
HMS commercially permitted fishermen (submitting voluntary fishing vessel and catch form)	6,405

Non-government Institutions for Validation	2
<b>TOTAL</b>	<b>7,957</b>

Shark, Swordfish, and Tuna Dealer permits, and HMS commercial fishing permits, are based upon 2018 data from the *2019 Atlantic HMS SAFE Report*.

\* Number of International Fisheries Trade Permits as of December 31, 2017.

Burden hour calculations for each reporting instrument are given in Table 3, and discussed below by reporting instrument.

### **Atlantic BFT Daily Landing Reports and Tagging**

Atlantic BFT daily landing reports must be electronically submitted to NMFS via SAFIS within 24 hours of purchase by a dealer from a vessel, and each of those fish must be tagged. The burden associated with the Atlantic BFT daily landing reports and tagging is estimated based upon the number of BFT dealer permits issued in 2019, extrapolated by the average number of bluefin tuna reported per dealer from 2017-2018 (n = 12) , as provided by the HMS Management Division in Gloucester, MA.

Dealers must submit an Atlantic BFT IBQ Electronic Landing Report for landings from pelagic longline and purse seine vessels to support management of IBQ shares. Previously, these reports included the number of bluefin tuna discarded by the vessel, but this information was rarely submitted by dealers and is reported separately by vessel operators via VMS following each gear set making this reporting requirement redundant. For these reasons, Amendment 13 is eliminating the requirement for dealers to report discards, and the requirement to provide the vessel operators IBQ account PIN to confirm the accuracy of these reports.

### **Non-BFT Landings Reports (e-Dealer)**

Non-BFT landings reports are to be submitted to NMFS through electronic dealer reporting systems. The burden associated with these reporting activities, in addition to a voluntary form that fishermen may fill out and leave with HMS dealers for their electronic dealer reports, are summarized in Table 1, and explained in detail below.

Swordfish, shark, and BAYS tuna dealers must submit an electronic report for each trip that they purchase of these species from a vessel. At a minimum, electronic reports (including negative reports) must be submitted weekly. Electronic dealer reports collected through other Atlantic reporting systems (SAFIS, trip tickets, etc.) are automatically sent to the HMS e-Dealer system and fulfill HMS weekly electronic reporting requirements. The individual reporting burden for persons issued an Atlantic swordfish, shark, and/or BAYS tuna dealer permit varies, depending upon the number of trips a dealer purchases. The response burden for ‘key entered’ reports is estimated at 15 minutes per report, and dealers utilizing the “file upload” versions of reporting systems are estimated to need 30 minutes per report. Based upon the number of electronic reports submitted in 2018 by swordfish, shark, and BAYS tunas dealers, and received through

the *e-Dealer* system (10,180 responses = 8,050 key entered + 2,240 file upload), the annual reporting burden is estimated at 3,132 hours.

If no purchases are made during a weekly reporting period, a negative report must be filed. Negative reports are estimated to take 5 minutes to complete and send to NMFS. The number of negative reports used in this analysis (129,497 rounded to 129,500) is based upon the number of negative *e-Dealer* reports submitted to NMFS in 2017. The annual reporting burden is estimated at 10,792.

NMFS also requires Atlantic HMS dealers to provide an e-mail address so communications with dealers can be made through the HMS *e-Dealer* system. HMS dealers may submit their e-mail address via e-mail, fax, or phone. From 2013-2019, the average change in number of dealers between years was 19 (rounded to 20). NMFS is using this number as a proxy for the number of new dealers per year that may need to provide their e-mail address. This requirement is estimated to take approximately one minute. Total burden =  $(20 * 1)/60 = 1$  hour (rounded).

### **Voluntary Vessel and Catch Form**

Fishermen may fill out a voluntary form to provide dealers with fishing vessel and Atlantic swordfish, sharks, and BAYS tunas catch information. This form would take fishermen approximately 15 minutes to complete and would be completed on a trip basis. Since these forms are not required, no data on their use is available. In previous requests, NMFS estimated that these voluntary forms were used on 100% of trips; however, as fishermen and dealers have acclimated to electronic dealer reporting, NMFS estimates that use of this form has reduced to 50% of trips. In 2018, approximately 10,604 trips landed HMS and were reported through the *e-Dealer* system. NMFS estimates that for approximately half of these trips (5,302), fishermen used the voluntary form, for a total of 1,325 burden hours per year.

### **Biweekly Trade Report**

The international trade biweekly reporting requirements for this collection occur on the HMS Trade Biweekly Dealer Report. Estimation of burden hours associated with this form was calculated by multiplying the number of responses submitted to the NMFS Import Monitoring Program at the National Seafood Inspection Laboratory in Pascagoula, MS in 2017.

### **Non-governmental Validation**

Non-government institutions may apply for authorization to validate statistical documents or re-export certificates by applying in writing, indicating the procedures to be used for verification of information to be validated, the names and contact information of individuals that will perform the validation, and an example of the stamp or seal applied to the statistical document or re-export certificate. Authorizations must be renewed on an annual basis. The largest number of validation authorizations ever granted by NMFS in one year was 2, and NMFS estimates this will continue to be the case. Preparing the necessary application is expected to take approximately 2 hours. Total burden hours =  $2 * 2$  hours = 4 hours.

**Validation of Catch Documents, Statistical Documents, and Re-export Certificates**

The annual number of shipments by species for BFT, frozen BET, SBT, and SWO for each trade activity(import/export/re-export) for 2019 was provided by The National Seafood Inspection Laboratory’s Import Monitoring Program using data from statistical and catch documents and the ICCAT eBCD system. ICCAT requires that exports (including some re-exports) associated with its SD programs are validated. This validation requirement is implemented by either tagging each fish in a shipment and maintaining the necessary records, or obtaining verification from a government official or their designee. The tagging option is currently available for Atlantic and Pacific BFT (all Atlantic BFT are tagged upon landing (see above)). A FAX-in system is available for all other validation, whereby a dealer faxes a complete document to a NMFS contractor, and the document is returned to the dealer with the necessary validation stamp in place and a document number.

**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).**

**Total annual capital and recordkeeping/reporting cost is \$1,635 (excluding the value of burden hours discussed in Question 12).** Costs for the public resulting from this collection include the cost of submitting reports to NMFS either electronically, via U.S. mail, or via FAX. Electronic submission will not result in any additional cost to the public, since small businesses are already set up with computers and internet service as part of their regular business operations. Forms and tags are provided free of charge. Mailing cost estimates are given in Table 5. In addition, non-government institutions approved for validating exports would spend approximately \$10 for a validation stamp, and total cost estimates are in Table 3.

**Table 3. Costs to the public as a result of this collection, not including those associated with burden hours.**

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)
Atlantic BFT Daily Landing Report	430	12	5,160	\$0.00	\$0.00
Atlantic BFT IBQ Daily Electronic Landing Report (for landings from purse seine & longline vessels)	430	1.5	645	\$0.00	\$0.00
Atlantic BFT Landing Tag	430	12	5,160	\$0.00	\$0.00
Atlantic BFT Biweekly Landing and Trade Report	430	1	430	\$0.00	\$0.00
HMS Trade Biweekly Report	700	5	3,500	\$0.00	\$0.00
HMS Electronic Landing Report for Swordfish, Sharks, & BAYS Tuna (e-Dealer)	700	11.5	8,050	\$0.00	\$0.00

HMS Electronic Landing Report for Swordfish, Sharks, & BAYS Tuna (e-Dealer) "file upload" version	700	3.2	2,240	\$0.00	\$0.00
HMS Weekly Negative Reports (e-Dealer)	700	185	129,500	\$0.00	\$0.00
Submission of e-mail address (for new HMS dealers)	20	1	20	\$0.00	\$0.00
Fishing Vessel and Catch Form	8,836	0.6	5,302	\$0.00	\$0.00
Non-governmental validation authorization	2	1	2	\$11.00	\$22.00
Validation of Catch Documents, Statistical Documents, and Re-export Certificates	510	17	15,016	\$0.15	\$2,252
<b>TOTALS</b>			<b>175,025</b>		<b>\$2,274</b>

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

**Table 4. Estimate of annualized cost to the federal government for this data collection.**

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
<b>Federal Oversight</b>	ZP-5	\$218,401	10%		\$21,840.10
Other Federal Positions	ZP-4 x4	\$682,553	50%		\$341,276.50
Other Federal Positions	ZP-3	\$118,825	50%		\$59,412.50
Other Federal Positions	ZA-3	\$118,825	10%		\$11,882.50
Other Federal Positions	ZP-2	\$93,731	30%		\$28,119.30
<b>Contractor Cost</b>					
Contractor Labor					\$500,000
Maintenance Costs					\$215,000
ACCSP Database Costs					\$40,000
<b>Travel</b>					\$4,500
<b>Other Costs:</b>					
<b>Bluefin Tuna Reporting Tags</b>					\$3,225
<b>TOTAL</b>					<b>\$1,225,255.90</b>

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

**Table 5. Program respondent, response, and burden hour changes and adjustments**

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	
Atlantic BFT Daily Landing Report	430	430	5,160	5,160	172	172	No change
Atlantic BFT IBQ Daily Electronic Landing Report (for landings from purse seine & longline vessels)	430	430	645	645	11	11	No change
Atlantic BFT Landing Tag	430	430	5,160	5,160	86	86	No change
Atlantic BFT Biweekly Landing and Trade Report	430	430	430	430	108	108	No change
HMS Trade Biweekly Report	700	700	3,500	3,500	875	875	No change
HMS Electronic Landing Report for Swordfish, Sharks, & BAYS Tuna (e-Dealer)	700	700	8,050	8,050	2,012	2,012	No change
HMS Electronic Landing Report for Swordfish, Sharks, & BAYS Tuna (e-Dealer) "file upload" version	700	700	2,240	2,240	1,120	1,120	No change
HMS Weekly Negative Reports (e-Dealer)	700	700	129,500	129,500	10,792	10,792	No change
Submission of e-mail address (for new HMS dealers)	20	20	20	20	1	1	No change
Fishing Vessel and Catch Form	8,836	8,836	5,302	5,302	1,326	1,326	No change
Non-governmental validation authorization	2	2	2	2	4	4	No change
Validation of Catch Documents, Statistical Documents, and Re-export Certificates	510	510	15,016	15,016	3,754	3,754	No change
<b>Total for Collection</b>	<b>13,888</b>	<b>13,888</b>	<b>175,025</b>	<b>175,025</b>	<b>20,260</b>	<b>20,260</b>	
<b>Difference</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	

**Table 6. Program labor and miscellaneous cost changes and adjustments.**

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Atlantic BFT Daily Landing Report	\$2,872.40	\$2,592.04	\$0.00	\$0.00	Updated hour wage rate
Atlantic BFT IBQ Daily Electronic Landing Report (for landings from purse seine & longline vessels)	\$179.53	\$162.00	\$0.00	\$0.00	Updated hour wage rate
Atlantic BFT Landing Tag	\$1,436.20	\$1,296.02	\$0.00	\$0.00	Updated hour wage rate
Atlantic BFT Biweekly Landing and Trade Report	\$1,795.25	\$1,620.03	\$0.00	\$0.00	Updated hour wage rate
HMS Trade Biweekly Report	\$14,612.50	\$13,186.25	\$0.00	\$0.00	Updated hour wage rate
HMS Electronic Landing Report for Swordfish, Sharks, & BAYS Tuna (e-Dealer)	\$33,608.75	\$30,328.38	\$0.00	\$0.00	Updated hour wage rate
HMS Electronic Landing Report for Swordfish, Sharks, & BAYS Tuna (e-Dealer) "file upload" version	\$18,704.00	\$16,878.40	\$0.00	\$0.00	Updated hour wage rate
HMS Weekly Negative Reports (e-Dealer)	\$180,220.83	\$162,630.42	\$0.00	\$0.00	Updated hour wage rate
Submission of e-mail address (for new HMS dealers)	\$5.57	\$5.02	\$0.00	\$0.00	Updated hour wage rate
Fishing Vessel and Catch Form	\$22,134.18	\$19,973.78	\$0.00	\$0.00	Updated hour wage rate
Non-governmental validation authorization	\$66.80	\$60.28	\$22.00	\$22.00	Updated hour wage rate
Validation of Catch Documents, Statistical Documents, and Re-export Certificates	\$62,691.80	\$56,572.78	\$2,252.40	\$2,252.40	Updated hour wage rate
<b>Total for Collection</b>	<b>\$338,327.81</b>	<b>\$305,305.39</b>	<b>\$2,274.40</b>	<b>\$2,274.40</b>	
<b>Difference</b>	<b>\$33,022.41</b>		<b>\$0</b>		

**Changes:** Two data elements, the number of bluefin tuna discards and the vessel operator IBQ account PIN, are being removed from the dealer Atlantic BFT IBQ Electronic Landings Reports; however, due to the infrequency of discard reports previously submitted, we are making no change to the estimated burden per response which is currently only 0.02 hours per response or 75 seconds. No change in the number of total responses is expected either, so there is no change to the overall burden estimates.

**Adjustments:** No change in the number of respondents or responses is anticipated with this revision.

**16. For collections whose results will be published, outline the 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.**

Results from data collection using the forms in this family are not planned for publication.

**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.**

Similar to the last renewal of OMB approval for the BFT CD (OMB Control No.0648-0040), it is requested that the burden statement, expiration date, and OMB Control Number not appear in the electronic eBCD, or on the CD form, but be posted on the HMS International Trade Program website. A link to the website and copy of the text is included in this submission. The reason for this request stems from concerns expressed by other ICCAT members that U.S. CDs not differ from the format agreed to at ICCAT. Further, the eBCD electronic system is not under the purview of the United States. In addition, SDs and RXCs for SWO, BET, and SBT are available to dealers either from NMFS or from the internet websites of the different international commissions (ICCAT, IATTC, CCSBT, IOTC). NMFS wants dealers to be able to access the forms directly from these websites. NMFS has copies of these forms on its HMS ITP website, and these documents include the OMB Control number and expiration date. The rest of the information will be available on the HMS ITP website. This will meet NMFS obligations under the PRA while reducing the likelihood of delays/problems in clearing customs in countries that are contracting parties to ICCAT.

**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\(b\)\(3\)](#).