

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
North Pacific Observer Safety and Security Survey
OMB Control No. 0648-0759

SUPPORTING STATEMENT PART A -

Abstract

This request is for an extension and revision of an existing information collection. The revision to the survey instrument will allow the survey participants to specify to whom they reported unwanted behavior. NMFS certified observers are a vital part of fisheries management. Observers are deployed to collect fisheries data in the field; observers often deploy to vessels and work alongside fishers for weeks and months at a time. The work environment observers find themselves in can be challenging, especially if the observer finds themselves a target for victim type violations such as sexual harassment, intimidation, or even assault. NOAA Fisheries' Office of Law Enforcement prioritizes investigations into allegations of sexual harassment, hostile work environment, assault and other complaints which may affect observers individually. However, it is difficult for a person to disclose if they have been a victim of a crime, and law enforcement cannot respond if no complaint is submitted. The true number of observers who have experienced victim type crimes is unknown, and the reasons why they do not report is also unclear. More information is needed to understand how many observers per year experience victim type crimes, and why they chose not to report to law enforcement.

The survey will also investigate the reasons that prevented observers from reporting these violations. The results of the survey will provide the Office of Law Enforcement a better understanding of how often observers are victimized, which will enable them to reallocate resources as needed, conduct more training for observers to ensure they know how to report, conduct training to ensure people understand what constitutes a victim crime, and to increase awareness of potential victimizations. Additionally, the survey results will help law enforcement understand the barriers to disclosure, so enforcement may begin to address these impediments so they no longer prevent observers from disclosure.

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) utilizes observers to collect information on catch, bycatch, fishing efforts, biological characteristics, interactions with protected species, as well as socioeconomic information, from U.S. commercial fishing and processing vessels. More information on the observer population is needed to support the Agency's conservation and management goals, to strengthen and improve fishery management decision-making, and to satisfy legal mandates under the Reauthorization of the Magnuson-Stevens Fishery Conservation and Management Act, the Regulatory Flexibility Act, the Endangered Species Act, and the National Environmental Policy Act, Executive Order 12866, and other pertinent statutes.

NOAA National Marine Fisheries Service (NMFS) certified observers are a vital part of fisheries management. Observers are deployed to collect fisheries data in the field; observers often deploy to

vessels and work alongside fishers for weeks and months at a time. The work environment observers find themselves in can be challenging, especially if observers find themselves a target for victim type violations such as sexual harassment, intimidation, or even assault. NOAA Fisheries' Office of Law Enforcement prioritizes investigations into allegations of sexual harassment, hostile work environment, assault and other complaints, which may affect observers individually. However, it is difficult for a person to disclose if they have been a victim of a crime, and law enforcement cannot respond if no complaint is submitted. The true number of observers who have experienced victim type crimes is unknown, and the reasons why they do not report is also unclear. More information is needed to understand how many observers per year experience victim type crimes, and why they chose not to report to law enforcement.

The Office of Law Enforcement, Alaska Division, is conducting a survey of North Pacific Observers to determine the number of observers who experienced victimizing behavior during deployments. The survey will also investigate the reasons that prevented observers from reporting these violations. The results of the survey will provide the Office of Law Enforcement a better understanding of how often observers are victimized, which will enable them to reallocate resources as needed, conduct more training for observers to ensure they know how to report, conduct training to ensure people understand what constitutes a victim crime, and to increase awareness of potential victimizations. Additionally, the survey results will help law enforcement understand the barriers to disclosure, so enforcement may begin to address these impediments so they no longer prevent observers from disclosure.

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.

While this survey will be launched once a year and open for a month, the results of this survey will be used by the Office of Law Enforcement on an annual basis to determine a more accurate frequency of crimes against observers, and on a month basis to address the impediments to disclosure. By understanding the frequency, enforcement efforts can be adjusted accordingly. Additionally, by understanding the impediments to disclosure, the Office of Law Enforcement can also begin to eliminate the impediments, thus encouraging more reports of violations in real time.

The first section of the survey is an introduction, with no questions asked. The second section of the survey will determine basic demographics of the respondent. This is to determine if there is any correlation associated with demographics. The third section of the survey asks questions regarding the respondent's safety and security on deployment, followed by questions seeking to understand any impediments to disclosure. The fourth and fifth sections of the survey thank the respondent for their time; the fourth section is meant for anyone who did not deploy in the North Pacific Observer Program in the previous year, while the fifth section is for respondents who complete the survey.

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.

This will be a web-based survey. The link for the survey will be provided to all possible respondents who deployed with the North Pacific Observer Program in a given year. Only aggregate results will be published.

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

As the current liaison between the Office of Law Enforcement and the North Pacific Observer Program, responsibility for collecting data is Jaclyn Smith, sponsor; there are no current projects with a similar purpose. This was verified with other Office of Law Enforcement regional offices and with the National Observer Program.

A larger observer safety survey is currently pending OMB approval under a new information collection (202308-0648-004). That survey is being led by the NOAA Workplace Violence Prevention and Response Office. Once that collection is approved, NOAA will re-evaluate the need for this survey.

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

Small businesses or other small entities will not be impacted. This survey is directed at individuals only.

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.

When a person endures a difficult situation, such as sexual harassment or assault, especially in an isolated work environment that observers work in, there is the potential that the event will not be reported to law enforcement. The anonymous nature of the survey may encourage observers to report crimes against them as all judgement is removed. Anonymous surveys often produce more accurate rates. These rates are what the Office of Law Enforcement would like to know, so enforcement efforts can be adjusted appropriately. Without the survey, the Office of law Enforcement must rely on the rates of what was reported, which may not reflect the real frequency of crimes against observers.

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.

- There is no requirement for respondents to report information to the agency more often than quarterly;
- There is no requirement for respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;
- There is no requirement for respondents to submit more than an original and two copies of any document;
- There is no requirement for respondents to retain records, other than health, medical, government contract, grant-in-aid, or tax records for more than three years;
- There is no special circumstances in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;
- There is no requirement for the use of a statistical data classification that has not been reviewed and approved by OMB;
- There is no requirement for that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security

policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

- There is no requirement for respondents to submit proprietary trade secret, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

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 published on April 10, 2024 ([89 FR 25249](#)) solicited public comments. No comments were received.

I also provided the survey to NMFS employees to test it, add any recommendations, and ensure the survey took no more than 10 minutes. I received recommendations on the wording of the questions, but no significant comments or questions that would alter the intent of the survey.

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

No payments or gifts will be given to the respondents.

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 will be requested from respondents.

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.

The questions asked may be considered of a sensitive nature; however, the Office of Law Enforcement is requesting the information to determine the type of negative work environment observers may be experiencing. By understanding what observers are experiencing, the Office of Law Enforcement can take specific actions to implement a positive change to improve the work environment. The survey is voluntary, and observers do not have to take it if they are uncomfortable with the questions.

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

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)
North Pacific Observer Safety and Security Survey	Fishery Observer	280	1	280	10 minutes	47 hours	\$19.22	\$903.34
Totals								

The mean hourly wage rate for the Farming, Fishing, and Forestry Occupations (45-0000) was used to calculate the respondent wage rate.
https://www.bls.gov/oes/current/oes_nat.htm

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).

There will be no recordkeeping/reporting cost anticipated for the respondents.

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.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZA 04 02	\$248,294	.3%		\$744.88
Other Federal Positions	N/A	0	0		0
Contractor Cost		0	0	0	0
Travel					0
Other Costs:					0
TOTAL					\$744.88

The upper bound rate for a ZA-IV/02 in Alaska was used to calculate the base salary. The loaded salary was calculated using a multiplier of 1.5.

https://www.commerce.gov/sites/default/files/2024-01/CAPS_rpStandard_2024.pdf

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

There was a change to the survey instrument to allow the respondents to specify to whom they reported.

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	
North Pacific Observer Safety and Security Survey	280	300	280	300	47	50	Estimated decrease in # of respondents.
Total for Collection	280	300	280	300	47	50	
Difference	-20		-20		-3		

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 survey will be open for approximately four months. This allows observers who are deployed to take it when they return from the field. After the results are analyzed; analyzing will be completed within

three days, it will be presented externally at the International Fisheries Observer and Monitoring Conference, the North Pacific Fishery Management Council, and the American Fisheries Society Conference.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. NOAA Office of Law Enforcement 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. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

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).