

Code of Federal Regulations

Title 50. Wildlife and Fisheries

Chapter VI. Fishery Conservation and Management, National Oceanic and Atmospheric Administration, Department of Commerce

[\(Refs & Annos\)](#)

Part 635. Atlantic Highly Migratory Species [\(Refs & Annos\)](#)

Subpart A. General

Effective: April 3, 2026

50 C.F.R. § 635.9

§ 635.9 Electronic monitoring.

[Currentness](#)

<Text of section effective April 3, 2026.>

(a) Applicability. An owner and/or operator of a commercial vessel permitted or required to be permitted in the Atlantic Tunas Longline category under § 635.4, and that has pelagic longline gear on board, is required to have installed and maintain at all times during fishing trips, a fully operational EM system on the vessel, as specified in this section. Vessel owners and/or operators can contact NMFS or a NMFS–approved contractor for more details on procuring an EM system. Owners and/or operators of vessels fishing with pelagic longline gear within the Charleston Bump and East Florida Coast Monitoring Areas while they are effective (see §§ 635.2 and 635.35(d)(3)) must comply with the EM requirements in paragraph (h) of this section.

(b) EM Installation.

(1) NMFS or a NMFS–approved contractor will assess individual Atlantic Tunas Longline permitted vessels that are currently eligible for IBQ shares; install and test all EM systems; provide training to vessel owners or operators or their designees; and develop in consultation with vessel owners or operators or their designees required operational plans (Vessel Monitoring Plan or VMP) for the EM systems, as described in paragraph (e) of this section.

(2) Vessel owners and/or operators, as instructed by NMFS, may be required to coordinate with NMFS or a NMFS approved contractor to schedule a date or range of dates, and/or may be required to steam to a designated port for EM work on specific NMFS–determined dates. Such EM work may include, but is not limited to EM system installation, repair, or modifications; modifications to vessel equipment to facilitate installation or operation of EM systems, such as installation of a fitting for the pressure-side of the line of the drum hydraulic system; installation, repair or modification to a power supply or power switches/connections for the EM system; installation of additional lighting; or installation of mounting structure(s) for the camera(s) to provide views of areas and fish consistent with paragraphs (c)(1)(i) through (ii) of this section.

(i) Certificate of Installation. After confirming that an EM system that meets the requirements of this section is properly installed, the system has been tested, and training and a required operational plan (VMP) are completed, NMFS or the NMFS–approved contractor will provide a Certificate of Installation to the vessel owner or operator.

(ii) Vessels described under paragraph (a) of this section may not depart on a fishing trip without having a valid Certificate of Installation and VMP on board.

(1) Video camera(s).

(i) Video cameras must be mounted and placed so as to provide clear, unobstructed views of the area(s) where the pelagic longline gear is retrieved and of catch being removed from hooks prior to being placed in the hold or discarded. There must be lighting sufficient to illuminate clearly individual fish.

(ii) Video camera(s) must be in sufficient numbers (a minimum of two and up to four), with sufficient resolution (no less than 720p (1280 x 720)) for NMFS, the USCG, and their authorized officers and designees, or any individual authorized by NMFS to determine the number and species of fish harvested. To obtain the views required in paragraph (c)(1)(i) of this section, at least one camera must be mounted to record close-up images of fish being retained on the deck at the haulback station, and at least one camera must be mounted to provide views of the area from the rail to the water surface, where the gear and fish are hauled out of the water. NMFS or the NMFS-approved contractor will determine the number and placement of cameras needed to achieve the required views, based on the operation and physical layout of the vessel.

(iii) The EM system must be capable of initiating video recording at the time gear retrieval starts. It must record all periods of time when the gear is being retrieved and catch is removed from the hooks until it is placed in the hold or discarded.

(2) GPS receiver. A GPS receiver is required to produce output, which includes location coordinates, velocity, and heading data, and is directly logged continuously by the control box. The GPS receiver must be installed and remain in a location where it receives a strong signal continuously.

(3) Hydraulic and drum rotation sensors. Hydraulic sensors are required to continuously monitor the hydraulic pressure and a drum rotation sensor must continuously monitor drum rotations.

(4) EM control box. The system must include a control box that receives and stores the raw data provided by the sensors and cameras. The control box must contain removable hard drives and storage systems adequate for a trip lasting 30 days.

(5) EM systems monitor. A wheelhouse monitor must provide a graphical user interface for harvester to monitor the state and performance of the control box and provide information on the current date and time synchronized via GPS, GPS coordinates, current hydraulic pressure reading, presence of a data disk, percentage used of the data disk, and video recording status.

(6) EM software. The EM system must have software that enables the system to be tested for functionality and that records the outcome of the tests.

(7) Standardized reference grid. The vessel must have a standardized grid on deck in view of the haulback station camera(s) in such a way that the video recording includes an image of each fish on the grid in order to provide a size reference. The standardized grid may be on a removable mat or carpet that is placed on the deck before the fish are brought on board, or may be painted directly on the deck. The standardized reference grid must have accurate dimensions and grid line intervals as instructed and specified in the vessel's VMP by NMFS or the NMFS-approved contractor. The vessel owner and/or operator is responsible for ensuring compliance with the provided instructions and specifications and for ensuring accurate, straight, clear and complete grid lines with no missing, incomplete, blurry or smudged lines.

(d) Data maintenance, storage, and viewing. The EM system under paragraph (c) of this section must have the capacity to allow authorized officers of NMFS, the USCG, or Federal or State agencies with enforcement agreements with NMFS (see [16 U.S.C. 1861](#)) to observe the live video on the EM systems monitor and any

any NMFS–approved contractor. The certified EM vendor must provide access to data stored by that vendor as provided under paragraph (h)(3)(iii) of this section.

(e) Operation. Unless otherwise authorized by NMFS in writing, a vessel described in paragraph (a) of this section must collect video and sensor data in accordance with the requirements in this section, in order to fish with pelagic longline gear.

(1) Vessel monitoring plan. The vessel owner and/or operator must have available onboard a written VMP for its system. At a minimum, the VMP must include: information on the locations of EM system components (including any customized camera mounting structure); contact information for technical support; instructions on how to conduct a pre-trip system test; instructions on how to verify proper system functions; location(s) on deck where fish retrieval should occur to remain in view of the cameras; specifications and other relevant information regarding the dimensions and grid line intervals for the standardized reference grid; procedures for how to manage EM system hard drives; catch handling procedures; periodic checks of the monitor during the retrieval of gear to verify proper functioning; and reporting procedures. The VMP will be updated, revised, and approved periodically by NMFS or the NMFS–approved contractor, and will include both signature and date indicating when the VMP was approved by NMFS or the NMFS–approved contractor. The VMP should minimize to the extent practicable any impact of the EM systems on the current operating procedures of the vessel, and should help ensure the safety of the crew. The vessel owner and/or operator must implement, and ensure that the vessel complies with, all of the requirements, specifications and protocols outlined in the VMP no later than 6 months after the date of approval of the VMP.

(2) Handling of fish and duties of care. The vessel owner and/or operator must ensure that all fish that are caught, even those that are released, are handled in a manner that enables the video system to record such fish, and must ensure that all handling and retention of BFT occurs in accordance with relevant regulations and the operational procedures outlined in the VMP. The vessel owner or operator must ensure that each retained fish is placed on the standardized reference grid in view of cameras in accordance with the operational procedures outlined in the VMP.

(3) Additional duties of care. The vessel owner and/or operator is responsible for ensuring the proper continuous functioning of all aspects of the EM system, including that the EM system must remain powered on for the duration of each fishing trip from the time of departure to time of return; cameras must be functioning and cleaned routinely; the hydraulic and gear sensors must be operational; the GPS signal must be functioning; and EM system components must not be tampered with.

(4) Completion of trip(s). Except when at capacity after one trip or otherwise stated by NMFS in writing, EM hard drives may be used to record up to two trips. Within 48 hours of completing a second fishing trip, or within 48 hours of completing one trip in the case where the hard drive does not have sufficient capacity for a second trip, the vessel owner and/or operator must mail the removable EM system hard drive(s) from the NMFS–provided EM system containing all data to NMFS or NMFS–approved contractor, and must mail hard drive(s), if any, from their certified EM vendor's system to the vendor (see paragraph (h) of this section), according to instructions provided by NMFS. The vessel owner and/or operator must comply with the 48–hour mailing requirement regardless of whether a vessel fished inside or outside of the monitoring areas as defined in § 635.2 and specified in § 635.35(d)(3). The vessel owner and/or operator is responsible for using shipping materials suitable to protect the hard drives (e.g., bubble wrap), tracking the package, and including a self-addressed mailing label for the next port of call so replacement hard drives can be mailed back to the sender. Prior to departing on any trip, the vessel owner and/or operator must ensure that any EM system hard drive that is installed has the capacity needed to enable data collection and video recording for the entire trip. The vessel owner and/or operator is responsible for contacting NMFS or NMFS–approved

management procedures described in the VMP. Further requirements for EM within monitoring areas are in paragraph (h) of this section.

(f) Failure to adequately monitor the gear and catch. The vessel owner or operator must monitor and maintain the EM system in working condition, which includes ensuring the proper continuous functioning of the EM system, cameras provide clear unobstructed views, and video picture quality is clear. Prior to departing on a trip with pelagic longline gear on board, the vessel owner or operator must test the functionality of the system and contact NMFS or the NMFS-approved contractor if the system is not functioning properly. In that case, or if NMFS independently determines that an EM system fails to meet the requirements of this section, the vessel cannot leave port unless and until NMFS provides written authorization. NMFS may grant such authorization after confirming that an EM system is functioning properly or other circumstances as determined by NMFS warrant authorization.

(g) Repair and replacement. If the vessel owner or operator becomes aware that the EM system on the vessel is not functioning properly at sea, the vessel owner or operator must contact NMFS and follow the instructions given. Such instructions may include but are not limited to returning to port until the EM system is repaired. Once in port, an EM system must be functioning properly (e.g., repaired, reinstalled, or replaced) consistent with the installation requirements in this section before the vessel can fish with pelagic longline gear.

(h) Within the Monitoring Areas. This paragraph applies to the Charleston Bump and East Florida Coast Monitoring Areas as defined under § 635.2 when these areas are effective as specified for each area in § 635.35(d)(3) of this section. In addition to the general EM requirements in this section, owners of vessels fishing with pelagic longline gear within the boundaries of the monitoring areas during the months specified for each area must utilize EM services from NMFS-certified EM vendors and pay for sampling costs. This section sets forth EM cost responsibilities; NMFS' application, approval, and removal process for EM vendors; requirements for NMFS-certified EM vendors providing services pursuant to contracts to vessels owners; and requirements for vessel owners and/or operators. Unless otherwise specified, owners and/or operators of vessels permitted or required to be permitted in the Atlantic Tunas Longline category under § 635.4 must comply with this paragraph and are jointly and severally responsible for their vessel's compliance with this section.

(1) EM Cost responsibilities. The owner of a vessel fishing with pelagic longline gear in a monitoring area is responsible for the sampling costs, described in paragraph (h)(1)(i) of this section, related to EM requirements for the monitoring areas. NMFS is responsible for the administrative costs described in paragraph (h)(1)(ii) of this section. For fishing outside of the monitoring areas, NMFS is responsible for sampling and administrative costs for EM requirements in paragraphs (a) through (g) of this section in support of the IBQ program under § 635.15.

(i) Sampling costs. Sampling costs may include, but are not limited to, equipment purchases, leases, and installation; equipment maintenance and upkeep; training for captain and crew; development and implementation of VMPs (see paragraph (h)(3)(i) of this section); data transmittal; video processing, review, and storage; and payment to a NMFS-certified vendor as appropriate for services rendered. The sampling costs for the equipment (e.g., purchases, leases, maintenance) apply only to any equipment that is bought, leased, or installed by or under the direction of an certified EM vendor with whom a vessel owner has a contract (see paragraphs (h)(3) and (4) of this section).

(ii) Administrative costs. Administrative costs may include, but are not limited to, program administration support; certification of EM service providers; EM program sample design and performance monitoring; compliance monitoring; data analysis for management and enforcement purposes; and storage of Federal records.

application to NMFS, at an address designated by NMFS. Once received, NMFS will review the application for completeness and possible approval.

(i) Contents of application. Application forms and instructions for their completion are available from NMFS. An application is complete when all requested forms, information, and documentation have been received, including the information described in this paragraph. NMFS will notify the applicant of any deficiency in the application, including failure to provide information required to be submitted under this part. If the applicant fails to correct the deficiency within 30 days following the date of notification, the application will be considered abandoned. An application to become a certified EM vendor shall include, but is not limited to, the following:

(A) Identification of the management, organizational structure, and ownership structure of the applicant's business, including identification by name and general function of all controlling management interests in the company, including but not limited to owners, board members, officers, authorized agents, and staff. If the applicant is a corporation, the articles of incorporation must be provided. If the applicant is a partnership, the partnership agreement must be provided.

(B) A list of all physical and electronic mailing addresses and any relevant phone or fax numbers where the owner(s) can be contacted for official correspondence, and the current physical location for each office.

(C) A description of the applicant's ability to carry out the responsibilities and duties of EM vendors under paragraph (h)(3) of this section.

(D) A statement signed under penalty of perjury by an authorized agent of the applicant EM vendor that each owner, board member, officer, and employee of the EM vendor has no conflict of interest as described in paragraph (h)(2)(iii) of this section.

(E) Procedures for hiring and training of competent program staff to carry out EM field services and data services, including procedures to train, and maintain the skills of, EM data processing staff in: use of data processing software; species identification; metadata reporting requirements; data processing procedures; data tracking; and reporting and data upload procedures.

(ii) Application evaluation and certification. NMFS shall review and evaluate each complete application submitted under paragraph (h)(2)(i) of this section. A decision to approve or deny an application shall be made by NMFS within 90 business days of receipt of the complete application by NMFS.

(A) Issuance of approval as an EM vendor shall be based on a determination by NMFS of the applicant's ability to perform the responsibilities and duties under paragraph (h)(3) of this section, as demonstrated in the application information, and the absence of conflict of interest (see paragraph (h)(2)(iii) of this section).

(B) If NMFS approves the application, NMFS will notify the vendor in writing that it has certified the vendor and will provide any information pertinent to its participation in the EM program. NMFS will also add the EM vendor's name to the list of certified EM vendors found on the NMFS website and in any outreach information to the industry.

(C) If NMFS determines that the applicant is unable to perform the responsibilities and duties under paragraph (h)(3) of this section or has conflicts of interest pursuant to paragraph (h)(2)(iii) of this section, NMFS shall deny the application. NMFS shall notify the applicant in writing of the reason for the denial. Within 30 days of the applicant's receipt of the denial notification, an

the information required under paragraph (h)(2)(i) of this section in order to be reconsidered for the list of certified EM vendors.

(iii) Limitations on conflict of interest for EM vendors. Other than providing EM services to vessel owners and/or operators in the fishery, a certified EM vendor and its employees must not:

(A) Have a direct or indirect interest in a fishery managed under Federal regulations, including, but not limited to, a fishing vessel, fish dealer, and/or fishery advocacy group; and

(B) Solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, loan, or anything of monetary value from anyone who conducts fishing or fishing related activities that are regulated by NMFS, or who has interests that may be substantially affected by the performance or non-performance of the responsibilities and duties of an EM vendor.

(iv) Removal from the list of certified vendors. An EM vendor that fails to meet the responsibilities and duties under paragraph (h)(3) of this section or that is shown to have a conflict of interest as described in paragraph (h)(2)(iii) of this section, shall be notified by NMFS, in writing, that it is subject to removal from the list of certified EM vendors. Such notification shall specify the reasons for the pending removal. Within 30 days of receiving such notification, an EM vendor may submit written evidence to rebut the reasons for removal from the list. Within 30 days of receiving any rebuttal, NMFS shall notify the EM vendor of its decision. If no rebuttal is received by NMFS within the first 30-day period, the EM vendor shall be automatically removed from the list of certified EM vendors. The decision to remove an EM vendor from the list, either after reviewing a rebuttal or if no rebuttal is submitted, shall be the final decision of NMFS and the Department of Commerce. Removal from the list of approved EM vendors does not necessarily prevent an EM vendor from obtaining an approval in the future if a new application is submitted that demonstrates that the reasons for removal are remedied.

(3) Responsibilities and duties of EM vendors. To maintain a certified EM vendor status, an EM vendor must demonstrate an ability to provide or support pelagic longline vessel owners and/or operators with the following services:

(i) VMP for the Monitoring Areas. A certified EM vendor must, in consultation with the vessel owner with whom the vendor has a contract for EM services in the monitoring areas, develop a required VMP for EM systems, as described in paragraph (e) of this section. The VMP is only valid when there is an existing, signed contract between a certified EM vendor and the vessel owner; the vendor and vessel owner have signed and dated the VMP; and NMFS or NMFS-approved contractor has signed and dated the VMP to indicate that the plan is approved. A VMP that is produced in compliance with the EM requirements outside of the monitoring areas may suffice in the monitoring areas if the vessel owner has a contract with the same NMFS-approved contractor that is providing EM services across the fleet for all trips.

(ii) EM installation and maintenance for the Monitoring Areas. A certified EM vendor is responsible for ensuring that an EM system, as specified in the VMP, is installed and tested and has the following capabilities: camera(s) with sufficient resolution to determine the number and species of fish caught; camera(s) placed in a location(s) that provides clear, unobstructed views of the area(s) where pelagic longline gear is retrieved and of catch being removed from hooks and placed on the vessel; lighting sufficient to clearly illuminate individual fish; ability to initiate video recording at the time gear retrieval starts and to continue recording until catch is removed from the hooks and placed on the vessel; a GPS receiver that allows for collection of location coordinates, heading, and velocity data of the vessel; a monitor that allows for the monitoring of the state of the EM system; a method of protecting all electronic data, including video and metadata and sensor data if hydraulic and gear sensors are installed, from tampering; and a method of collecting and sending all electronic data,

EM vendor may determine that the NMFS–provided EM system already on the vessel (see § 635.9(a) through (c)) is compatible for use in the monitoring areas (e.g., compatible with the vendor's equipment, software, data transmission, data storage, etc.). Alternatively, the EM vendor may determine that only a part of, or none of, the NMFS–provided EM system is compatible for use and may, therefore, require the vessel owner to buy or lease EM system components. In both situations, the certified EM vendor is responsible for ensuring the EM system meets the capabilities described above and enables the vendor to meet its requirements under paragraph (h)(3) of this section. The certified EM vendor is also responsible for assisting the vessel owner and/or operator in meeting all the requirements listed in paragraph (h)(4) of this section and for providing training to vessel owners or operators or their designees on how to use the EM system. After confirming that the EM system meets the capabilities described above, is properly installed, has been tested, and training and a VMP are completed, the EM vendor will provide a Certificate of Installation to the vessel owner or operator. If the EM system stops working properly, the EM vendor will assist the vessel owner and/or operator in repairing or replacing malfunctioning equipment and returning the system to working order. If the malfunctioning parts are NMFS–provided, the EM vendor will work with NMFS to have the equipment repaired or replaced and to return the system to working order. If the EM vendor is notified by the vessel owner or operator that the EM system has stopped functioning properly while the vessel is at sea and in the monitoring areas, the EM vendor will notify NMFS and provide instructions to the vessel owner and/or operator consistent with NMFS' guidance.

(iii) Data integrity and storage requirements. A certified EM vendor must receive, access, and store video data consistent with the VMP and paragraphs (d) and (h)(3) of this section; store video and metadata for a minimum of 2 years after the date received; and provide access to stored data upon request by any authorized officers of NMFS.

(iv) Video review requirements. A certified EM vendor must:

- (A) Ensure that all EM data processing staff has been trained in species identification consistent with the procedures submitted under paragraph (h)(2)(i)(E) of this section;
- (B) At NMFS' request, conduct additional video review to verify catch reports, and provide information for regulatory, enforcement, or for other management purposes; and
- (C) On a calendar year quarterly basis, receive all of the electronic data, including video and metadata and, if applicable, sensor data, collected by the EM systems on all vessels for which the certified EM vendor has a contract for EM services. Once all data are received, the certified EM vendor must review 50 percent of the sets submitted from the vessels that fished in the Charleston Bump Monitoring Area and 50 percent of the sets submitted from the vessels that fished in the East Florida Coast Monitoring Areas (see § 635.2 for definitions of the areas), when these areas are effective as specified in § 635.35(d)(3). NMFS may evaluate video review rates on a regular basis and modify them as appropriate through a framework adjustment per § 635.34.

(v) Reporting requirements. Each calendar year, a certified EM vendor must submit quarterly reports to NMFS for vessels for which the EM vendor has existing, signed contracts. Quarter 1 (January through March) report is due on or before June 30. Quarter 2 (April through June) report is due on or before September 30. Quarter 3 report (July through September) is due on or before December 31. Quarter 4 report (October through December) is due on or before March 31. The reports must include a list of vessels that submitted EM data for review; a list of vessels that did not submit EM data for review; the location, date, and time of gear retrieval of all sets submitted for review; identification of the sets reviewed (vessel name, location, date, and time of gear retrieval of all sets) for the quarterly report; species caught and amounts (retained and discarded) from the sets reviewed and disposition

whether the vessel's fishing practices are compliant with applicable regulations. The metadata from all submitted trips and sets must accompany these quarterly reports. As appropriate, NMFS may respond to questions about fishing practices or possible regulatory violations in order to assist video reviewers and EM vendors in understanding the regulations and the EM program.

(4) Vessel owner and operator requirements. The owner of a vessel with pelagic longline gear on board and fishing with pelagic longline gear in an effective monitoring area, as described at the beginning of paragraph (h) of this section, must obtain EM services (see paragraph (h)(3)) of this section from a NMFS–certified EM vendor (see paragraph (h)(2) of this section). The vessel owner is responsible for the sampling costs (see paragraph (h)(1) of this section). For any trip where fishing with pelagic longline gear may occur in an effective monitoring area, the vessel owner and/or operator must:

(i) Declare intent to fish with pelagic longline in a monitoring area through hail-out via VMS unit prior to departing on the trip as required in § 635.69(e)(2);

(ii) Have an EM system on board with the capabilities required under paragraph (h)(3)(ii) of this section. The vessel owner and/or operator must monitor and maintain the EM system in working condition, which includes ensuring the proper continuous functioning of the EM system to meet the required capabilities under paragraph (h)(3)(ii) of this section;

(iii) Collect video data during hauling activities via an installed and working EM system and, if hydraulic and gear sensors are installed, collect sensor data during the duration of the trip;

(iv) Have on board and available for inspection an approved VMP pursuant to paragraph (h)(3)(i) of this section and ensure that all of the requirements, specifications and protocols outlined in the VMP have been implemented by the date specified in the VMP;

(v) Have on board and available for inspection a Certificate of Installation in accordance with paragraph (h)(3)(ii) of this section;

(vi) Prior to departing on the trip, activate the EM system and ensure the installed EM system has the capacity needed to enable data collection and video recording for the entire trip. The vessel cannot enter a monitoring area if the EM system does not have the capacity needed;

(vii) Prior to departing on the trip, test the functionality of the system and contact their certified EM vendor if the system is not functioning properly. If the EM system is not functioning properly, the vessel is prohibited from deploying pelagic longline sets in any effective monitoring area, as described in the beginning of paragraph (h) of this section. The vessel may still fish outside the monitoring area(s) if the EM system installed by the NMFS–approved contractor for use outside the monitoring areas functions properly consistent with paragraph (f) of this section. The vessel owner or operator must work with the EM vendor pursuant to paragraph (h)(3)(ii) of this section to correct any malfunctions with the EM system before fishing in the monitoring areas can resume;

(viii) Provide access to the EM system, including the data, as provided under paragraph (d) of this section;

(ix) During the trip, ensure the proper continuous functioning of all aspects of the EM system as required under paragraphs (h)(3)(ii) and (h)(4)(i) through (viii) of this section, including that: the EM system must remain powered on for the duration of each fishing trip in an effective monitoring area, as described at the beginning of paragraph (h) of this section; cameras must be functioning and cleaned routinely; the hydraulic and gear sensors, if installed, must be operational; the GPS signal must be functioning; and the EM system components must not be tampered with. If the vessel owner

EM system is repaired. Once in port, an EM system must be functioning properly (e.g., repaired, reinstalled, or replaced) consistent with the installation requirements under paragraph (h)(3)(ii) of this section before the vessel may fish with pelagic longline within an effective monitoring area;

(x) Ensure that all fish that are caught, even those that are released, are handled in a manner that enables the video system to record such fish, and ensure that interactions occur in accordance with relevant regulations and the operational procedures outlined in the VMP;

(xi) Ensure that each retained fish is placed on the standardized reference grid (see paragraph (c)(7) of this section) in view of cameras in accordance with the operational procedures outlined in the VMP; and

(xii) At the completion of a trip or as agreed to with the certified vendor, submit all electronic data, including video and metadata and, if applicable, sensor data, to the certified EM vendor, consistent with the requirements in the VMP.

Credits

[[79 FR 71588](#), Dec. 2, 2014; [83 FR 33154](#), July 17, 2018; [87 FR 59998](#), Oct. 3, 2022; [91 FR 10730](#), March 4, 2026]

SOURCE: [64 FR 29134](#), May 28, 1999; [71 FR 58163](#), Oct. 2, 2006, unless otherwise noted.

AUTHORITY: [16 U.S.C. 971 et seq.](#); [16 U.S.C. 1801 et seq.](#)

Current through March 25, 2026, 91 FR 14483. Some sections may be more current. See credits for details.

End of Document

© 2026 Thomson Reuters. No claim to original U.S. Government Works.

PRA Burden Statement:

NOAA estimates that completing the electronic monitoring collection will vary depending on the requirement. The estimated time per response varies by item within the suite of information collected, as follows: EM service provider applications, 45 hours; copies of contracts and other documents, 30 minutes; appeals, 4 hours; application revisions, 2 hours; EM certificate of installation, 30 minutes; vessel monitoring plans, 4 hours; quarterly EM review reports, 40 hours; technical assistance, 20 minutes; non-compliance reports, 20 minutes; data storage, 15 minutes; and debriefs of EM staff, 2 hours. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to NOAA, Cliff Hutt at cliff.hutt@noaa.gov. This collection has been approved by the Office of Management and Budget (OMB). The eight-digit OMB approval number that appears at the upper left corner of this instruction document confirms this approval. If this number were not displayed, we could not conduct this collection of information.

Privacy Act Statement:

Consistent with OMB's guidance implementing the Privacy Act of 1974, "an agency record-keeping system on firms it regulates may contain "records" (i.e., personal information) about officers of the firm incident to evaluating the firm's performance. Even though these are clearly "records" under the "control of" an agency, they would not be considered part of a system as defined by the Act unless the agency accessed them by reference to a personal identifier (name, etc.). That is, if these hypothetical "records" are never retrieved except by reference to company identifier or some other nonpersonal indexing scheme (e.g., type of firm) they are not a part of a system of records." NOAA believes this guidance speaks directly to this scenario and suggests that while the information system certainly will collect and maintain personally identifiable information (PII), it is not maintained in a system of records.