

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Tilefish Individual Fishing Quota Program
OMB CONTROL NO. 0648-0590

Abstract

This request is for extension of the current information collection.

National Marine Fisheries Service (NMFS) Greater Atlantic Region manages the golden tilefish fishery of the Exclusive Economic Zone (EEZ) of the Northeastern United States, through the Tilefish Fishery Management Plan (FMP). The recordkeeping and reporting requirements at § 648.294 form the basis for this collection of information. NMFS requests information from tilefish individual fishing quota (IFQ) permit holders to process applications that ensure IFQ allocation holders are provided a statement of their annual catch quota and, for enforcement purposes, to ensure vessels are not exceeding an individual quota allocation. In conjunction with the application, NMFS also collects IFQ share accumulation information to ensure that IFQ allocation holders do not acquire an excessive share of the total limited access privileges, as required by section 303A(d)(5) (C) of the Magnuson-Stevens Act.

A. 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.

Under the Magnuson-Stevens Fishery Conservation and Management Act¹ (MSA), the Secretary of Commerce (Secretary) holds ultimate statutory responsibility for the long-term conservation, stewardship, and management of marine fishery resources within the U.S. Exclusive Economic Zone (EEZ). The primary operational authority and day-to-day regulatory responsibilities under the MSA have been delegated to the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NMFS) and regional bodies like the Mid-Atlantic Fishery Management Council. The Council is tasked with developing, evaluating, and amending Comprehensive Fishery Management Plans (FMPs) to prevent overfishing and achieve optimum yield. Specifically, the Tilefish FMP governs the commercial harvesting of golden tilefish caught and landed within the designated Tilefish Management Unit, establishing individual quota allocations, monitoring compliance, and ensuring legal harvesting limits.

¹ <https://www.fisheries.noaa.gov/resource/document/magnuson-stevens-fishery-conservation-and-management-act>

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.

The information requested is used by several offices of NMFS and the United States Coast Guard (USCG) for the monitoring, implementation, and enforcement of the provisions outlined in the Tilefish FMP.

The information gathered is required for the institution of a Limited Access Permit Program (LAPP), as stipulated in the MSA. This information enables NMFS to manage the IFQ program. All the information will be collected annually, with the exception of the IFQ Allocation Transfer form, which will be collected every time an IFQ allocation transfer occurs.

IFQ Allocation Permit

In 2009, Amendment 1 to the Tilefish Fishery Management Plan (FMP) implemented an individual fishing quota (IFQ) program. This program requires the issuance of IFQ Allocation permits to all entities that own IFQ. There are currently 13 tilefish IFQ Allocation permits. Permanent IFQ transfers may occur at any point after issuance of IFQ Allocation permits, which may change the number of IFQ Allocation permits that are issued annually. These permits are necessary to ensure that IFQ allocation owners are provided with a statement of their annual catch quota and are necessary for enforcement purposes to ensure vessels are not exceeding an individual quota allocation.

IFQ Permanent & Temporary Transferability

To achieve its objectives, it is essential that an IFQ program allow the free transfer of quota shares. These objectives include reduction in overcapacity, and provision for economic efficiency in the fishery. Amendment 1 allowed for IFQ quota share or annual quota pounds to be transferred to any entity eligible to own a U.S.-documented vessel. In order to process an IFQ transfer (quota share or pounds), NMFS requires that an IFQ Allocation permit holder submit an IFQ transfer form. This IFQ transfer form must include the following information:

- the type of transfer (either temporary transfer of pounds or permanent transfer of quota share),
- the signature of both parties involved,
- the cost associated with the transfer,
- the amount (in either pounds or percent of IFQ allocation) to be transferred, and
- a declaration of the interest held in tilefish IFQ allocation, with IFQ Allocation permit numbers, for the entity receiving the IFQ.

The IFQ Transfer Application Form is made available to IFQ Allocation permit holders annually, along with notification of their annual individual quota. In addition, IFQ Allocation permit holders are notified that the form is available online through the Greater Atlantic Regional Office web site, at www.fisheries.noaa.gov.

IFQ Share Accumulation

Section 303A(c)(5)(D) of the 2006 reauthorized MSA states that IFQ privilege programs should ensure that limited access privilege holders do not acquire an excessive share of the total limited access privileges in the program by: 1) establishing a maximum share, expressed as a percentage of the total limited access privileges, that a limited access privilege holder is permitted to hold, acquire, or use; 2) establishing any other limitations or measures necessary to prevent an inequitable concentration of limited access privileges; and 3) authorizing limited access privileges to harvest fish to be held, acquired, used by, or issued under the system to persons who substantially participate in the fishery, including in a specific sector of such fishery, as specified by the Council. Amendment 1 instituted a restriction on the acquisition of IFQ allocation to 49 percent. No person, corporation, partnership, or other entity eligible to own a U.S.-documented vessel (entity), may hold (permanently or temporarily) more than 49 percent of the total tilefish IFQ allocation. This prevents the accumulation of an excessive shareholding in the fishery, while still allowing for additional consolidation in the fishery to reduce overcapacity.

To ensure that an entity does not acquire more than 49 percent of the overall tilefish IFQ total allowable landings (TAL), NMFS must collect IFQ allocation interest data. IFQ Allocation permit holders must disclose their interest in IFQ allocations annually, prior to receiving their annual permit. To facilitate the collection of this information, NMFS requires that an IFQ Allocation Interest Declaration form be submitted prior to issuing an IFQ Allocation permit. This form includes:

- the signature of the owner
- the complete address and phone number of the owner
- an attestation that the owner is a U.S. citizen, and
- the IFQ Allocation permit number(s) in which they have ownership interest.

The ITQ allocations of which an individual declares an ownership interest must be identified by both full name (individual or corporation) and by NMFS IFQ Allocation permit number. An IFQ Allocation permit holder may not transfer IFQ (permanently or temporarily) if it will result in an entity holding more than 49 percent of the total tilefish IFQ TAL.

Fees and Cost Recovery

NMFS is required under the MSA to collect fees to recover the costs directly related to management, data collection and analysis, and enforcement of IFQ programs. Under section 304(d)(2)(A) of the MSA, the Secretary is authorized to collect a fee to recover these costs. The fee shall not exceed 3 percent of the ex-vessel value of fish harvested. The IFQ fees collected are deposited in the Limited Access System Administrative Fund (LASAF) established in the U.S. Treasury. There is a separate marked account within the LASAF to ensure that the fees collected are only recovered to pay for the incremental costs directly related to management, data collection and analysis, and enforcement costs of the NMFS Greater Atlantic Region Tilefish IFQ Program. Amendment 1 requires that the IFQ permit holder pay a cost recovery fee for every pound of tilefish that he or she lands. As soon as possible after the end of the calendar year, NMFS mails a bill for the IFQ fee from the previous calendar year to each IFQ permit holder. Bills may also be made available electronically via the internet. Payment of the IFQ fee must be made within 45 days of the date on the NMFS bill.

Payments of the IFQ fee must be made electronically via the Federal web portal, www.pay.gov², or other internet sites as designated by the Regional Administrator (RA). Use of the electronic fee collection system is to minimize paper transactions because the NMFS Greater Atlantic Regional Office is not equipped to process paper collections. Instructions for electronic payment are available on both the payment website and the paper bill. Payment options include payment via a credit card (e.g., Visa, MasterCard, Discover, etc.), or direct automated clearing house (ACH) withdrawal from a designated checking account. Payment by check could be authorized by the RA for any reason, including in the case of an emergency (i.e., the geographical area or an individual is affected by catastrophic conditions).

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.

The collection of cost recovery fees, as required by the MSA for the institution of a LAPP, will be accomplished using www.pay.gov, the electronic Federal payment system managed by the Department of the Treasury.

The forms that are used to collect the information are available for download electronically on the GARFO website, www.fisheries.noaa.gov/region/new-england-mid-atlantic. Completed forms may be mailed or submitted through email.

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

NMFS is aware of all related fishery management activities, and these requirements do not duplicate any in existence. The data requested from tilefish individual fishing quota (IFQ) permit holders—including specific IFQ allocation transfer details, initial permit applications, and comprehensive share accumulation interest declarations—are unique to the management and enforcement of the Tilefish Fishery Management Plan (FMP). Existing reporting systems across federal and state agencies do not capture the specialized ownership interest structures or exact transfer records necessary to monitor the 49-percent quota allocation cap or calculate cost recovery fees under the Magnuson-Stevens Act. Consequently, no existing data source can be modified or used to satisfy these statutory oversight requirements.

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

² <https://www.pay.gov/public/home>

This collection of information does not have a significant economic impact on small entities. Only the minimum data required to meet administrative, monitoring, and statutory oversight needs are requested from participants. To minimize the administrative burden, all required forms—including the IFQ Allocation Permit Application, IFQ Allocation Interest Declaration Form, and IFQ Transfer Form—are made electronically downloadable and computer-fillable via the Greater Atlantic Regional Fisheries Office website. Additionally, clear and detailed instructions are provided with all forms to streamline completion and prevent unnecessary delays. Mandatory cost recovery payments are processed electronically via www.pay.gov to reduce paper transactions and administrative overhead. Because the vast majority of participants in the tilefish IFQ fishery qualify as small businesses, uniform procedures have been established, and separate requirements based on business size are not necessary.

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.

Amendment 1 to the Tilefish Fishery Management Plan (FMP) formally established a Limited Access Privilege Program (LAPP) within the tilefish fishery. This creates a binding statutory mandate under the Magnuson-Stevens Fishery Conservation and Management Act (MSA) to execute the specific information collection activities detailed in Question 1. Without collecting this required data, the National Marine Fisheries Service (NMFS) would be completely unable to carry out essential administrative and regulatory functions. These critical responsibilities include issuing mandatory annual IFQ Allocation permits, calculating and assigning individual quota allocations, and reviewing, approving, and tracking both permanent quota share and temporary quota pound transfers among participants. Ultimately, the failure or inability to collect this information would prevent the tilefish IFQ fishery from functioning operationally, undermine statutory oversight, and directly impair NMFS's capacity to ensure proper fishery management, real-time monitoring, and legal compliance.

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

The data collection as described is consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A *Federal Register* Notice published June 11, 2026 (91 FR 35467), solicited public comments. No comments were received.

NMFS reached out to stakeholders at the New England Fishery Management Council and the Mid-Atlantic Fishery Management Council to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported. No comments were received.

NMFS implemented the Tilefish IFQ program in 2010 and works to maintain open industry/public communication as a part of participation in the program. Feedback in the form of comments or questions is welcomed and encouraged throughout the fishery management process, and several contact numbers are provided on the application forms and supporting informational materials.

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

Respondents will not receive any gifts or payment.

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 system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

All data is handled in accordance with NOAA Administrative Order 216-100³, Confidentiality of Fisheries Statistics, and is not released for public use except in aggregate statistical form (and without identifying the source of data, e.g., vessel name, owner, etc.). In addition, any information submitted according to the provisions outlined in Amendment 1, or any other management action implemented by NMFS, is considered confidential and is not disclosed except as provided in Section 402(b) of the Magnuson-Stevens Act.

System of records notice NOAA-19⁴, Permits and Registrations for United States Federally Regulated Fisheries, applies to the information collected under this OMB control number. The privacy impact assessment for NOAA4100⁵, Greater Atlantic Regional Office (GARFO) Network, identifies the security and privacy controls implemented to protect this information.

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

³ <https://www.noaa.gov/organization/administration/nao-216-100-protection-of-confidential-fisheries-statistics>

⁴ <https://www.commerce.gov/node/4991>

⁵ https://www.commerce.gov/sites/default/files/2024-05/NOAA4100-PIA-FY2024_SAOP-Approved-Delegated.pdf

persons from whom the information is requested, and any steps to be taken to obtain their consent.

There are no questions of a sensitive nature.

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

Information Collection	Type of Respondent (e.g., Profession)	# of Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Burden Hrs / Response	Total Annual Burden Hrs	Hourly Wage Rate (for Type of Respondent)	Total Annual Wage Burden Costs
Application for IFQ Allocation Permits	45-1011 First-Line Supervisors of Farming, Fishing, and Forestry Workers	13	1	13	0.25	3	\$ 30.16	\$ 90
Tilefish IFQ Allocation Interest Declaration Form		13	1	13	0.083	1		\$30
Request to Transfer Tilefish IFQ Allocation		16	1	16	0.083	1		\$ 30
Fees & Cost Recovery		13	1	13	1	13		\$392
Totals		55		55		18		\$ 542

*All totals were rounded to the nearest whole number to reflect the total calculated via ROCIS.

The wage rate for Occupational Code 45-1011 was used to determine the hourly wage rate.
<https://data.bls.gov/oes/#/area/00000000/2025>

There are currently 13 individual respondents estimated under this submission. These respondents represent those entities that are currently issued a tilefish IFQ Allocation permit. This number includes all entities that are affected by this information collection, although different provisions affect different numbers of entities. The burdens included in this information collection request are described in further detail below and summarized in the Table at the end of the text.
There are 47 responses and approximately 18 hours estimated.

IFQ Permit Application

There are currently 13 IFQ Allocation permits. A new allocation permit application will take approximately 30 minutes to complete, while a renewal of an existing allocation permit will take approximately 15 minutes to complete. In recent years, all allocation permit applications have been renewals. Therefore, the total estimated burden is 3.25 hours per year (13 x 15 minutes/60 minutes = 3.25).

IFQ Allocation Interest Declaration Form (Ownership Cap Form)

To administer the 49-percent limit on IFQ Allocation holdings, IFQ Allocation permit holders are required to submit an IFQ Allocation Interest Declaration (IFQ Ownership Cap) form prior to each IFQ permit year. Because there are 13 IFQ Allocation permits, there would be 13 forms submitted

each year. It is estimated it takes 5 minutes to complete each ownership form; therefore, the annual reporting burden would be 1.1 hours (13 x 5 minutes/60 minutes).

IFQ Transfer Form

It is estimated that each transfer form takes approximately 5 minutes to complete for each of the two parties to the transfer. In recent years an average of 8 transfers have been completed annually. Assuming 2 respondents per transfer, there would be 16 total responses for 8 transfers. This would result in an annual burden of approximately 1.33 hours (16 x 5 minutes/60 minutes).

Fees and Cost Recovery

Each IFQ permit holder would be required to submit a cost recovery payment once annually. It is estimated that the full payment process could take up to one hour, including time to review the bill, to collect and review landings records, to log into the online web portal, and to submit electronic payment. Therefore, 13 payments would take 13 hours.

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).

Information Collection	# of Respondents	Annual # of Responses / Respondent	Total # of Annual Responses	Cost Burden / Response	Total Annual Cost Burden
Application for IFQ Allocation Permits	13	1	13	\$ 0.78	\$ 10
Tilefish IFQ Allocation Interest Declaration Form	13	1	13	\$ 0.78	\$ 10
Request to Transfer Tilefish IFQ Allocation	16	1	16	\$ 0.88	\$ 14
Fees & Cost Recovery	13	1	13	\$ 0	\$ 0-
TOTALS	55		55		\$ 34

*All totals were rounded to the nearest whole number to reflect the total calculated via ROCIS.

IFQ Permit Application

It is estimated that it would cost \$0.78 in postage fees to submit an IFQ permit application or a renewal. Therefore, it would cost on average over a three-year period an estimated **\$10.14** per year in postage fees (13 applications x \$0.78 = \$10.14).

IFQ Allocation Interest Declaration Form (Ownership Cap Form)

It is estimated that it would cost \$0.78 in mailing fees to submit an ownership cap form. Since there are 13 IFQ Allocation permits, 13 IFQ Allocation Interest Declaration forms are submitted annually, the additional expense resulting from this requirement would be **\$10.14** (13 forms x \$0.78 = \$10.14).

IFQ Transfer Form

It is estimated that IFQ transfer submission would cost \$0.78 postage and \$0.10 copy fees per transfer application (\$0.88 total). Since there has been an average of 8 transfers per year, and 2 responses per form, the resultant cost burden would be **\$14.08** ($8 \times 2 \times \$0.88 = \14.08).

Fees and Cost Recovery

The Cost Recovery Fee must be paid online. Because internet access is readily available, it is not expected that this requirement will result in any additional burden from internet use or costs associated with acquiring access.

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	GS10/ Step 8	\$125,738 (annual) \$60.45 (hourly)	0.922%		\$ 1,159
Other Federal Positions					
Contractor Cost					
Travel					
Other Costs: postage & printing					\$ 18
TOTAL					\$ 1,177

*OPM's General Schedule (GS) table for the Rest of U.S. locality was used since NOAA employees are geographically dispersed. Step 8 was used as the base salary and a multiplier of 1.5 was used to calculate the loaded salary. The hourly rate was determined by dividing the annual loaded salary by 2,080 hours.

Table 2 – Government Cost					
Requirements	# entities	Items per entity	Total Items	Cost per item	Total cost
IFQ Permit Application	13	1	13	\$ 80.58	\$ 786
Ownership Cap Forms	13	1	13	\$ 10.08	\$ 131
IFQ Allocation Transfer Applications (temporary and permanent)	8	1	8	\$ 30.23	\$ 242
Cost Recovery Billing	13	1	13	\$ 1.38	\$18
TOTAL	-	-	-	-	\$ 1,177

All forms submitted to the Greater Atlantic Regional Permit Office, either electronically or in hard copy, are reviewed and processed by a Legal Instruments Examiner (GS-10, Step 8, loaded hourly rate of \$60.45).

IFQ Permit Application

Applications for new permits take 1 hour and 20 minutes to fully review and process. The average cost to the Federal Government to issue a new Federal fishery permit (including the time to process all applications) is \$80.58 per permit (1 hour and 20 minutes, at an hourly rate of \$60.45), including labor, printing, distribution, computer time, and handling. Applications to renew an existing permit require some added time to print and mail the renewal application but can be processed more quickly because most of the information has already been verified and entered the database. In total, a renewal application takes 1 hour of staff time, so the average cost to the Federal Government to renew a permit is \$60.45 per permit (1 hour, at an hourly rate of \$60.45). In recent years, all permit applications have been renewals. Therefore, the total estimated burden is **\$785.85** (13 x 1 hour x \$60.45 = \$785.85)

IFQ Allocation Interest Declaration Form (Ownership Cap Form)

It takes 10 minutes to process each IFQ Allocation Ownership Interest Declaration form. There are 13 forms per year, at an hourly rate of \$60.45, the annual government burden would be **\$ 130.98** (13 x 10 minutes/60 minutes x \$60.45 = \$130.98).

IFQ Permanent & Temporary Transferability

It takes 30 minutes to process each transfer request. Since there are approximately eight transfers per year, the annual government cost would be **\$241.80** (8 x 30 minutes/60 minutes x \$60.45 = \$241.80)

Fees and Cost Recovery

It costs \$0.78 in postage and \$0.10 per page in copy fees to copy and mail a cost recovery annual bill. Since there are 13 permanent IFQ Allocation permit holders that each receive a six-page bill and report, annually, the expense resulting from this requirement would be **\$17.94** (13 x \$1.38= \$17.94).

Cost recovery payments are collected through www.pay.gov, an established government payment collection program. Since the program is programmed to accept payment from www.pay.gov, there are no additional costs to the government.

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

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	
Application for IFQ Allocation Permits	13	12	13	12	3	3	Increase in # of respondents
Tilefish IFQ Allocation Interest	13	12	13	12	1	1	Increase in # of respondents

Declaration Form							
Request to Transfer Tilefish IFQ Allocation	16	18	16	18	1	2	Standard avg of 9 transfers from last renewal has decreased to 8.
Fees & Cost Recovery	13	12	13	12	13	12	Increase in # of respondents
Total for Collection	55	54	55	54	18	18	
Difference	1		1		0		

Information Collection	Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	
Application for IFQ Allocation Permits	\$10	\$8	Increase of postage
Tilefish IFQ Allocation Interest Declaration Form	\$10	\$8	Increase of postage
Request to Transfer Tilefish IFQ Allocation	\$14	\$14	No Change
Fees & Cost Recovery	\$0	\$0	No Change
Total for Collection	\$34	\$30	
Difference	\$4		

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.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. NMFS retains control over the information and safeguards 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 is subjected to quality control measures, and a pre-dissemination review pursuant to Section 515 of Public Law 106-554⁶.

Results from this collection may be used in scientific, management, technical or general informational publications such as *Fisheries of the United States* which follows prescribed statistical tabulations and summary table formats. Data are available to the public on request in summary form only; data are available to NMFS employees in detailed form on a need-to-know basis only.

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

⁶ <https://www.federalregister.gov/documents/2002/02/22/R2-59/guidelines-for-ensuring-and-maximizing-the-quality-objectivity-utility-and-integrity-of-information>

The expiration date will be displayed on this information collection.

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).

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

No statistical methods are employed in the information collection procedures.