SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
International Dolphin Conservation Program
OMB Control No. 0648-0387

Abstract

This is a request for extension and revision of a currently approved collection. This revision reflects the transfer of five (5) information collections previously included under OMB Control Number 0648-0387, sponsored by NMFS, West Coast Region (WCR), to 0648-0335, Tuna Tracking and Verification Program. The purpose of this transfer is to more accurately reflect how the information is being managed. The five information collections being transferred will be removed from 0648-0387 during this renewal process and included under 0648-0335 going forward. The transferred 5 information collections are: “Arrival notification”, “Chain of custody”, “Monthly tuna receiving reports”, “Monthly tuna storage removal reports”, and “Tuna tracking form”.

The sixteen unmodified collections of information comply with the requirements of the International Dolphin Conservation Program Act (IDCPA), 16 U.S.C. 1414. The IDCPA amended the Marine Mammal Protection Act (MMPA), 16 U.S.C. Ch. 31, and the Dolphin Protection Consumer Information Act (DPCIA), 16 U.S.C. 1385. The IDCPA and the DPCIA authorize the Secretary of Commerce to promulgate regulations that, *inter alia*, implement the dolphin-safe labeling standard in the United States by the collection of documents on the dolphin-safe status of tuna import shipments and domestic tuna product processing; by allowing documentary requests to allow for an effective tracking and verification program; and by verifying that tuna was not harvested by a nation under embargo or otherwise prohibited from exporting tuna to the United States.

The Tuna Conventions Act (TCA), as amended by the 2015 "Illegal, Unreported, and Unregulated Fishing Enforcement Act," mandates that member States maintain and submit a list of authorized fishing vessels to the Inter-American Tropical Tuna Commission (IATTC). This list must include vessel characteristics, as well as ownership and operator details for vessels authorized to fish for tuna-like species in the IATTC Convention Area. Furthermore, the TCA empowers the Secretary of Commerce to enact the necessary regulations and implement IATTC fishery management resolutions.

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 purpose of this collection of information is to comply with the requirements of the Tuna Conventions Act (TCA), 16 U.S.C. 951 et seq[1]., which was amended by the “Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015” (Public Law No. 114-81[2]). The TCA gives the Secretary

[1] https://uscode.house.gov/view.xhtml?req=granuleid%3AUSC-prelim-title16-chapter16&saved=%7CZ3JhbnVsZWlkOlVTQy1wcmVsaW0tdGl0bGUxNi1zZWN0aW9uOTUx%7C%7C%7C0%7Cfalse%7Cprelim&edition=prelim

[2] https://www.congress.gov/114/plaws/publ81/PLAW-114publ81.pdf

of Commerce the authority to enact regulations to fulfill the requirement that all member States maintain and provide to the Inter-American Tropical Tuna Commission (IATTC) a list of vessels flagged by the member State and (1) authorized by the member State to be used for fishing for tuna and tuna-like species in the IATTC Convention Area, or (2) authorized by other States to be used for fishing for tuna and tuna-like species in their areas of jurisdiction in the IATTC Area, and to maintain and provide for each vessel on that list certain information on its characteristics and its owner and operator. The TCA also gives the Secretary of Commerce authority to implement fishery management resolutions of the IATTC.

This information collection pertains to U.S. tuna purse seine vessel and operator permit holders fishing under the Tuna Conventions Act (TCA) Currently collected information under the TCA with Paperwork Reduction Act (PRA) approval includes:

1) Permits
    a. vessel permit applications (including vessel photograph), and
    b. operators permit applications.
2) Waiver requests to transit the eastern tropical Pacific Ocean (ETP) without an observer on board,
3) Vessel departure notification five days prior to departure,
4) Vessel arrival notification,
5) Change in operator permit notification,
6) Modified net notification,
7) Experimental fishing gear waiver applications,
8) Dolphin Mortality Limit (DML) requests,
9) Vessel register annual notification,
10) Written notification of the intent to transfer a tuna purse seine vessel to foreign registry and flag,
11) Request for a force majeure exemption: in the event of force majeure (vessels disabled by mechanical and/or structural failure, fire, or explosion) rendering a purse seine vessel unable to proceed to sea outside of a closure period for at least 62 days (the prescribed closure period), the vessel owner may request an exemption from the closure period, and if the request is accepted by the IATTC, the purse seine vessel owner may observe a reduced closure period of 30 consecutive days.
12) Notification of purse seine closure period,
13) Application for an International Maritime Organization (IMO) number and exemption application,
14) Sunk Vessel Status Request
15) Aging Fleet Request

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 is used by NMFS, the United States Coast Guard (USGC), and the IATTC to monitor the size and composition of the vessel fleets in the IATTC Convention Area for compliance and scientific-related purposes. Knowing such information as the number of vessels, the details of the vessels and their ownership, and the types of gear employed enables effective monitoring of vessel activity for enforcement and assessment purposes. NMFS also uses this information for the purposes of management the U.S. purse seine fleet capacity in the IATTC Convention Area.

There are no changes to the currently approved information collection requirements other than the transfer of the 5 information collections to 0648-0335 as described above.

Owners or operators of vessels are required to provide the information specified in an application for a High Seas Fishing Permit issued under the High Seas Fishing Compliance Act (HSFCA) (OMB Control No. 0648-0304), or the Pacific HMS Permit issued under the Highly Migratory Species (HMS) Fishery Management Plan (FMP) (OMB Control No. 0648-0204), or the ETP Vessel Permit (OMB Control No. 0648-0387).

Owners and operators of vessels 100 gross register tonnage/gross tonnage (GRT/GT) or greater are required to provide information specified by the administrator of the IMO ship identification number scheme. The current administrator is IHS Maritime. Instructions on how to apply for an IMO number are available at: http://www.imonumbers.lrfairplay.com/default.aspx. The required information includes but is not limited to:

a) Current ship name/shipyard identification (ID)
b) Original name
c) Flag
d) Fishing number
e) Gross and net tonnage
f) Overall length
g) Shipbuilder
h) Place of build
i) Hull number
j) Registered owner and owner address
k) Manager and manager address
l) Company name
m) Contact name
n) Sender's email

The information provided in applications for IMO numbers is used by the administrator of the IMO ship identification number scheme to generate an IMO number for the vessel that is unique and stays with the vessel. The administrator makes the IMO number publicly available and also uses the data in its commercial products, such as directories of vessels.

A valid permit protects the fisherman and vessel owner from prosecution under the Marine Mammal

Protection Act (MMPA) for violation of the moratorium on taking marine mammals. Information supplied by the applicant is used by NMFS and the general public to review the appropriateness of waiving the moratorium to authorize the incidental take of marine mammals by U.S. tuna purse seine vessels fishing in the ETP. Each year, vessel owners and operators must apply for a permit under the MMPA and comply with the terms and conditions associated with its issuance. In addition, by signing the application for a vessel permit, the vessel owner agrees to release to NMFS all records made by Inter-American Tropical Tuna Commission (IATTC) observers during fishing trips aboard the vessel and furnish the international observer program with all release forms required to authorize the observer data to be provided to NMFS [50 CFR 216.24(b)(8)(v)[3]].

a) Permit applications

i) ETP vessel permit applications must be submitted to the Regional Administrator, NMFS, West Coast Region, via the National Permit System (NPS) available to applicants. The information needed for a vessel permit under 50 CFR 216.24(b)(4) is as follows:

(1) Identifying information for the vessel:

- Name and official number of fishing vessel to appear on permit [self-explanatory and required by 16 U.S.C. 1416 § 306(a)(1)(A)].
- A photograph of the vessel with the registration number showing and legible [this information assists the agency with identification of vessels and enforcement].
- The tonnage, carrying capacity, maximum vessel speed, processing equipment, and type and quantity of gear, including an inventory of special equipment required. [This information assists the agency with tracking processed and unprocessed tuna, monitoring compliance with gear requirements under the MMPA, and evaluating the ability of a vessel to capture tuna. A vessel's characteristics are important when determining the performance of a vessel which can be used to determine the fishing power of the vessel. This information is required by 16 U.S.C. 1416 § 306(a)(1)(B)];

(2) A statement whether the vessel intends to make sets involving the intentional taking of marine mammals. [This information is used to determine the type of permit that needs to be issued];

(3) The identity of Federal, State and local commercial fishing licenses, if applicable, under which vessel operations are conducted, and dates of expiration. [This information is collected to assess whether other permits may be combined in the future with the issuance of a vessel permit. In addition, this information may assist the agency with some of the tuna tracking requirements as well as determine whether a vessel is in compliance with other applicable federal regulations];

(4) The name(s) of the operator anticipated to be used. [This information is collected to assess whether the operator has a valid operator permit to fish for tuna in the ETP]; and

ii)

[3] https://www.ecfr.gov/current/title-50/chapter-II/subchapter-C/part-216/subpart-C/section-216.24

(1) The applicant's signature or the signature of the applicant's representative, if any, includes the address, telephone and fax numbers, and if applicable, the name, address, telephone, and fax numbers of the agent or organization acting on behalf of the vessel. [Signature certifies the information is true and correct and authorizes observer data collected to be provided to NMFS and the International Review Panel. The contact information is required by 16 U.S.C. 1416 § 306(a)(1)(A).]

iii) The information needed for an operator permit under [50 CFR 216.24(b)(5)] is as follows:

(1) The name, address, optional email address, telephone and fax numbers of the applicant [Self-explanatory];

(2) The type and identification number(s) of any Federal, State, and local fishing licenses held by the applicant. [This information is collected to assess whether other permits may be combined in the future with the issuance of an operator permit];

(3) The name of the vessel(s) on which the applicant anticipates serving as an operator. [The historical performance of an operator is as critical as the historical characteristics and fishing power of a vessel. The operator information may then be linked to the vessel of record to establish an operator catch history for that fishery or gear].

(4) The date, location, and provider of any training for the operator permit. Training includes a demonstration of familiarity with the techniques used to release entrapped dolphin(s) from a large purse seine net. Upon completion of training, a certificate of completion is issued [50 CFR 216.24(c)(5)]. Operator permits are issued annually. Additional training is not required unless regulations are modified substantially, the operator no longer demonstrates proficiency, or the operator does not obtain a previous calendar year permit. [Operator training is required to ensure fishing captains understand the principles of dolphin-safe fishing techniques and are kept informed of new technology, changing regulations, and new international agreements.]; and

(5) The applicant's printed name and signature or the printed name and signature of the applicant's representative, if any. [Signature certifies the information is true and correct.]

b) The rules and regulations allow tuna purse seine vessels without a permit and more than two speedboats to transit the ETP without an observer on board if the vessel owner requests a waiver [50 CFR 216.24(a)(3)]. This provision allows vessel owners the ability to off-load, complete repairs, or transit the permit area in an emergency without delay and without having to obtain a vessel and operator permit and carry an authorized NMFS or IATTC observer. As part of the waiver, the vessel owner must notify the Administrator, West Coast Region, with the name of the vessel and the date the vessel exits or subsequently enters the permit area.

i) To request a waiver, the following information must be provided to the Regional Administrator, West Coast Region, in writing and in advance of entering the ETP:

(1) The name of the vessel and operator [Self-explanatory];

(2) The ports of departure and arrival;

(3) The number of expected days to complete the transit [Information needed to

coordinate vessel transit with appropriate authorities, especially the IATTC];

(4) Reason for transiting the ETP;

(5) The measure(s) taken to ensure that the vessel is unable to fish while in travel through the ETP (e.g., no net aboard, reduced crew); and

(6) A statement that the vessel will not fish while in transit through the ETP [Self-explanatory].

c) Vessel permit holders are required to notify the Regional Administrator, NMFS, West Coast Region, or the Inter-American Tropical Tuna Commission contact designated by the Regional Administrator, NMFS, West Coast Region, at least five days in advance of the vessel's departure on a fishing voyage to allow for observer placement on every voyage [50 CFR 216.24(b)(8)(iv)]. The information may be provided either verbally or in writing and must include the following information:

i) The name of the vessel and operator [Self-explanatory];

ii) Location of the vessel; and

iii) Date and time of departure. [Information needed to coordinate and facilitate observer travel with the vessel departure.]

d) The Captain, managing owner, vessel permit holder, or vessel agent of a U.S. tuna purse seine vessel returning to port from a trip, any part of which included fishing in the ETP, is required to notify the Regional Administrator, NMFS, West Coast Region, or the Inter- American Tropical Tuna Commission contact designated by the Regional Administrator, NMFS, West Coast Region, at least 48 hours in advance of a vessel's arrival in port at the conclusion of a fishing voyage [50 CFR 216.93(c)(3)] to allow enough time for a NMFS representative to meet the vessel at the unloading location to monitor the handling of dolphin-safe and non-dolphin-safe tuna. Fish may be unloaded directly to a cannery facility or transshipped to another location by a freezer ship. The information may be provided either verbally or in writing and must include the following information:

i) The name of the vessel and operator [Self-explanatory];

ii) Port of arrival where fish will be unloaded;

iii) Date and time of unloading; and

iv) Schedule of unloading [Information needed to coordinate and facilitate NMFS representative travel to meet the arriving vessel.]

e) Vessel permit holders must notify the Regional Administrator, NMFS, West Coast Region, at least 48 hours prior to departing on a trip if there is a change of the vessel operator or within 72 hours after a change of the vessel operator if the change was made because of an emergency [50 CFR 216.24(b)(8)(iv)(B)]. This information is used to facilitate observer placements and make arrangements to conduct an observer placement meeting with the captain, managing owner, and program personnel prior to departure. Also, at this time the agency may notify the vessel owner if the operator must attend a skipper workshop. If necessary, arrangements may be made to schedule a workshop. This information may be provided verbally or in writing and must include:

i) Vessel name; and
ii) New operators permit holder name.

f) Vessel Permit holders intending to make intentional sets on marine mammals must notify the Regional Administrator, NMFS, West Coast Region, of any net modification at least 5 days prior to departure of the vessel in order to determine whether a reinspection or trial set (net alignment) is required [50 CFR 216.24(c)(4)(ii)]. If no net modifications are made during a calendar year, inspections shall be conducted by the authorized NMFS inspector (observer). This information may be provided verbally or in writing, and must include the following information:

i) Vessel name; and
ii) Type of gear modification completed.

g) The Regional Administrator, NMFS, West Coast Region, may authorize experimental fishing operations, consistent with the provisions of the International Dolphin Conservation Program, for the purpose of testing proposed improvements in fishing techniques and equipment that may reduce or eliminate dolphin mortality or serious injury, or do not require the encirclement of dolphins in the course of fishing operations [16 USC 1413 Section 303(A)(2)(B)(x)]. Vessel Permit holders may apply for an experimental fishing operation waiver by submitting the following information to the Regional Administrator, NMFS, West Coast Region, no less than 90 days before the intended date the proposed operation is intended to begin [50 CFR 216.24(c)(7)]. This information is necessary to assess the potential benefit of the experimental gear and the merits of the experimental design. If the experimental fishing permit is authorized, the applicant will need to submit a report at the conclusion of the experiment as part of the terms and conditions of the permit.

i) The name(s) of the vessel(s) and the vessel permit holder(s) to participate [Self-explanatory];
ii) A statement of the specific vessel gear and equipment or procedural requirement to be exempted and why such an exemption is necessary to conduct the experiment;
iii) A description of how the proposed modification to the gear and equipment or procedures is expected to reduce incidental mortality or serious injury of marine mammals;
iv) A description of the applicability of this modification to other purse seine vessels;
v) The planned design, time, duration, and general area of the experimental operation;
vi) The name(s) of the permitted operator(s) of the vessel(s) during the experiment;
vii) A statement of the qualifications of the individual or company doing the analysis of the research;
viii) The signature of the permitted operator or of the operator's representative; and
ix) A report summarizing the results of the experiment.

h) A vessel permit holder desiring to encircle dolphins in an effort to capture tuna must obtain a DML under the International Agreement prior to conducting fishing operations [16 USC 1413 Section 303(A)(2)(B)(ix)]. Under the IDCPA, vessel permit holders may apply for either a six-month DML (July through December), a one-year DML (January through December), or a per-trip

DML depending on vessel eligibility. Vessel permit holders may request a DML either by April 1 or by September 1, depending on whether the vessel permit holder is requesting a six-month or one-year DML allocation. Vessel permit holders may apply for a per-trip DML at any time, allowing at least 60 days for processing. To assess the eligibility of the vessel, six-month and one-year DML requests must be made in writing to the Regional Administrator, NMFS, West Coast Region, allowing at least 60 days for processing, and must include the following information [50 CFR 216.24(c)(9)]:

i) The name of the purse seine vessel(s) of carrying capacity greater than 400 short tons that the owner intends to use to intentionally deploy purse seine fishing nets in the ETP [Self-explanatory]; and
ii) The name of the vessel permit holder. In addition, a vessel possessing a valid vessel permit, but that does not normally fish for tuna in the ETP and desires to participate in the fishery on a limited basis, may apply for a per-trip DML from the Regional Administrator, NMFS, West Coast Region. To assess the eligibility of the vessel, per-trip DML requests must be in writing, allowing 60 days for processing, and state:
iii) The number of anticipated trips involving sets on dolphin; and
iv) The anticipated dates of the trip(s).

i) Vessel owners or managing owners must submit written notification to the Regional Administrator, NMFS, West Coast Region, to request that a vessel of 400 short tons (st) carrying capacity or less be categorized as active or inactive on the IATTC Vessel Register (Vessel Register), the list of vessels authorized to fish for tuna and tuna-like species in the ETP. Active or inactive status on the IATTC Vessel Register expires on December 31 of each year. Vessel owners or managing owners of vessels greater than 400 st carrying capacity are required to submit permit applications and fees each year to be listed on the Vessel Register, whereas vessel owners or managing owners of vessels of 400 st carrying capacity or less are not. Annual written notification would ensure that: 1) the request for active or inactive status is processed; 2) the vessel's capacity is accounted for in the total fleet capacity; and 3) the required information for the Vessel Register is collected. The notification must be submitted by November 30 of the year prior to the year for which inclusion on the register is requested.

To request a tuna purse seine vessel of 400 st carrying capacity or less be listed as active on the Vessel Register, the vessel owner or managing owner must submit the following information in writing:

i) Name and official number of fishing vessel [Self-explanatory].
ii) A photograph of the vessel with the registration number showing and legible [This information assists the agency with identification of vessels and enforcement].
iii) The port of registry; previous name(s) and flag;
iv) International Radio Call Sign;
v) Where and when built;
vi) Length, beam, and molded depth;
vii) Tonnage, fish hold capacity, and carrying capacity;

viii) Type of fishing method(s);

ix) Engine horsepower; and

x) The name and address of the vessel owner(s) and managing owner(s). [This information assists the agency with tracking processed and unprocessed tuna and evaluating the ability of a vessel to capture tuna. A vessel's characteristics are important when determining the performance of a vessel which can be used to determine the fishing power of the vessel. This information is required by the IATTC.];

xi) The vessel owner or managing owner's signature and business telephone and fax numbers. [Signature certifies the information is true and correct. The contact information is required by the IATTC.]

j) To request a tuna purse seine vessel of 400 st carrying capacity or less be listed as inactive on the Vessel Register, the vessel owner or managing owner must submit by mail the following information in writing:

i) Name and official number of fishing vessel [Self-explanatory];

ii) The vessel owner or managing owner's name, signature, business address, and business telephone and fax numbers. [Self-explanatory. Signature certifies the information is true and correct.]

k) The vessel owner or managing owner of a tuna purse seine vessel listed on the Vessel Register must notify the Regional Administrator, NMFS, West Coast Region, of the intent to transfer the vessel to foreign registry and flag. Written notification must be received at least 10 business days prior to the submission of an application for transfer of the vessel to foreign registry and flag. The notification requirement would not apply to owners or managing owners of vessels that have received approval from the U.S. Maritime Administration (MARAD) for transfer of the vessel to foreign registry and flag, because MARAD already provides notification to NMFS prior to the transfer of these vessels. The notification will be used to manage the tuna purse seine portion of the Vessel Register. Vessels that have their documentation removed and are transferred to foreign registry and flag would no longer be authorized by the U.S. to purse seine for tuna in the ETP. Vessel owners or managing owners must submit by mail the following information in writing:

i) Name and official number of fishing vessel [Self-explanatory and required by 16 U.S.C. 1416 § 306(a)(1)(A)];

ii) The expected date the application will be submitted for transfer of the vessel to foreign registry and flag; and

iii) The vessel owner or managing owner's name and signature. [Signature certifies the information is true and correct.]

l) In some years, the tuna conservation Resolution adopted by the IATTC may provide for two (or more) possible closure periods. The U.S. Government may determine which closure period will be observed by all members of the tuna purse seine fleet and inform vessel owners of the closure date. Alternatively, vessel owners may be allowed to choose between the options. If the vessel owner does not respond by a specified date (July 1) for each applicable year, they are required to adhere to the later closure period by default. Under these circumstances, vessel owners or managing owners must

submit in writing (via fax) the following information:

i) Name and official number of fishing vessel;
ii) The closure period the vessel will adhere to that year; and
iii) The vessel owner or managing owner's name and signature [Self-explanatory].

m) Force majeure exemption: Per Final Rule 0648-BD52, in the event of force majeure (vessels disabled by mechanical and/or structural failure, fire, or explosion) rendering a purse seine vessel unable to proceed to sea outside of a closure period for at least 62 days (the prescribed closure period), the vessel owner may request an exemption from the closure period, and if the request is accepted by the IATTC, the purse seine vessel owner may observe a reduced closure period of 30 consecutive days.

Purse seine vessel owners or managers interested in requesting a force majeure exemption will be required to submit the information listed below to NMFS via fax or e-mail, such that their request can be considered for approval by IATTC Members:

i) The name and official number of the vessel,
ii) Vessel owner or manager's name and signature, and
iii) Evidence to support the request, which may include but is not limited to photographs, repair bills, certificates of departure from port, United States Coast Guard form CG- 2692A (Ref. 46 CFR 4.05-10).

n) Sunk Vessel Status Request
The vessel owner or managing owner of a purse seine vessel listed as active on the Vessel Register that has sunk may request the vessel be listed as sunk and categorized as inactive on the Vessel Register. To request the vessel to be listed as sunk and categorized as inactive on the Vessel Register, the vessel owner or managing owner must submit to the HMS Branch written notification within 30 days of the vessel's sinking. Written notification shall include, but is not limited to, the vessel name, date of sinking, registration number, the vessel owner or managing owner's name, signature, business address, business email address, and business telephone and fax numbers.

o) Aging fleet provision for purse seine vessels
The vessel owner or managing owner of a purse seine vessel listed as active or inactive on the Vessel Register may request to replace the current vessel with a new or used vessel without losing the vessel's placement in the hierarchy of requests for active status. The replacement vessel will be eligible to be listed as active on the Vessel Register at the same carrying capacity or less as that of the vessel it is replacing. To request a vessel be replaced under this provision, the vessel owner or managing owner must submit to the HMS Branch written notification including, but not limited to, the vessel name and registration number, the vessel owner or managing owner's name, signature, business address, business email address, and business telephone and fax numbers, and the expected month and year the replacement vessel will be ready to fish in the Convention Area

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.

Most of the requested information for vessel and operator permits, departure and gear notification requirements may be completed by telephone, email, or fax. ETP vessel permits may also be applied online using the National Permit System website[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 information collections are unique to purse seine vessel operations and business actions and thus the same or similar information is not available through any other known information collection. Information collected via permit applications in the National Permits System (NPS) is consulted to complete the information requests from vessel managers should they overlook the inclusion of required vessel and ownership details.

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

Purse seine vessels subject to this collection of information are considered to include both small and large businesses. On average, annually, there are 15-20 purse seine vessels considered as large businesses. Similarly, on average annually, there are 15-20 purse seine vessels considered as small businesses. The majority of the information collections apply to purse seine vessels categorized as large businesses. The only information collection applicable to small purse seine vessels as small businesses is the vessel register annual notification. This is most often done via email and an estimated zero cost to the vessel manager/owner.

The IMO number requirement for vessels under 100 GRT or GT but over 12 meters in length operating on the high seas in the IATTC Convention Area will apply to small entities. NMFS will obtain the IMO number issued to vessel owners through means where it will not be necessary for the vessel owner to submit their IMO number directly to NMFS, thereby reducing the reporting burden. Additionally, the exemption process from obtaining an IMO number will also apply to small businesses.

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.

[4] https://fisheriespermits.noaa.gov/npspub/pub_cmn_login/index_live.jsp

Without this information collection, the Secretary of Commerce could not satisfy federal legal mandates or uphold international treaty obligations of the United States, likely resulting in litigation against the Federal Government. Furthermore, U.S. tuna purse seine vessels and operators would be prohibited from fishing for tuna and tuna-like species in the Eastern Tropical Pacific (ETP), inflicting substantial economic hardship on the industry.

Annual permits and notifications serve critical functions:

- Certification: They enable NMFS to verify to the International Review Panel that vessels applying for a Dolphin Mortality Limit (DML) are fully eligible and equipped with required dolphin safety gear.
- Fleet Management: They deliver precise estimates of active vessels and operators participating in the International Dolphin Conservation Program (IDCP) and ETP tuna fisheries, which is essential to keep the U.S. tuna purse seine fleet within established capacity limits.

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

Collection of information will be made in a manner consistent with OMB guidelines.

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

A Federal Register Notice was published on May 18, 2026 (91 FR 28575). Comments were invited from the public on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency; (b) the accuracy of the agency’s estimate of burden; (c) ways to enhance utility and clarity of information; and (d) ways to minimize the burden of collection. The comment period closed on July 17, 2026. No comments were received from the public nor from the affected industry respondents.

Over the month of August 2026, while responding to requests to be listed on the Active Register for 2027, NOAA informally consulted via phone with 6 vessel owners to obtain their views on the need for and practical utility of the data collected, the accuracy of the burden and frequency of collection, suggestions to minimize the burden, and ways to improve the clarity of instructions and forms. All consulted vessel owners understood the need for the information collections and agreed with the existing time and cost burden estimates.

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

No payments or gifts are made.

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.

Information collected under the DPCIA is considered confidential and is treated as such in accordance with NOAA Administrative Order 216-100[5] as stated in 50 CFR 216 subpart H[6]. Information collected is handled in compliance with agency filing and retention policy.

SORNs NOAA-12, Marine Mammals, Endangered and Threatened Species, Permits and Authorizations Applicants, and NOAA-19, Permits and Registrations for United States Federally Regulated Fisheries, govern this collection of information. The PIA for NOAA4500[7], West Coast Region (WCR) Network, identifies the security and privacy controls for this collection.

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

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

[5] https://www.noaa.gov/organization/administration/nao-216-100-protection-of-confidential-fisheries-statistics
[6] https://www.ecfr.gov/current/title-50/chapter-II/subchapter-C/part-216/subpart-H
[7] https://www.commerce.gov/sites/default/files/2025-06/NOAA4500%20PIA%20FY25-SAOP_Approved_Delegated.pdf

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

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents (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)
Transit Waiver	Fisherman	2	1	2	30 min	1	$19.96	$20
Vessel Permit Application	Fisherman	18	1	18	35 min	11	$19.96	$220
Vessel Operator Permit Application	Fisherman	44	1	44	10 min	7	$19.96	$140
Vessel Departure Notification	Fisherman	18	2	36	10 min	6	$19.96	$120
Permit Operator Notification Changes	Fisherman	1	1	1	10 min	0	$19.96	$0
Modified Net Notification	Fisherman	1	1	1	10 min	0	$19.96	$0
Experimental Fishing Permit Applications and Reports	Fisherman	2	1	2	10 hours	20	$19.96	$399
Dolphin Mortality Limit Request	Fisherman	2	1	2	30 min	1	$19.96	$20
Vessel Register Annual Notification	Fisherman	20	1	20	33 min	11	$19.96	$220
Notification Prior to Transfer of Vessel to Foreign Registry and Flag	Fisherman	1	1	1	5 min	0	$19.96	$0
Documentary Evidence Requests by Administrator	Admin Support	40	1	40	30 min	20	$23.40	$468
Notification of Purse Seine Closure Period	Fisherman	10	1	10	12 min	2	$19.96	$40
Force Majeure Exemption Request	Fisherman	1	1	1	1 hour	1	$19.96	$20
Application for IMO number and Exemption Application	Fisherman	61	1	61	30 min	31	$19.96	$619
Sunk Status Request	Fisherman	1	0	0	5 min	0	$19.96	$0
Aging Fleet Request	Fisherman	1	1	1	10 min	0	$19.96	$0
Totals		**223**		**240**		**111**		**$2,284**

The occupation code for Farming, Fishing, and Forestry Occupations (45-0000) was used to determine the wage rate for fishermen. The occupational code for Office and Administrative Support Workers, All Other (43-9199) was used to determine the hourly wage rate for Admin Support.
https://data.bls.gov/oes/#/area/0000000/2025

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 (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)
Transit Waiver	2	1	2	0	$0
Vessel Permit Application*	18	1	18	32	$576
Vessel Operator Permit Application	44	1	44	0	$0
Vessel Departure Notification	18	2	36	0	$0
Permit Operator Notification Changes	1	1	1	0	$0
Modified Net Notification	1	1	1	0	$0
Experimental Fishing Permit Applications and Reports	2	1	2	0	$0
Dolphin Mortality Limit Request	2	1	2	0	$0
Vessel Register Annual Notification	20	1	20	0	$0
Notification Prior to Transfer of Vessel to Foreign Registry and Flag	1	1	1	0	$0
Documentary Evidence Requests by Administrator	40	1	40	0	$0
Notification of Purse Seine Closure Period	10	1	10	0	$0
Force Majeure Exemption Request	1	1	1	0	$0
Application for IMO number and Exemption Application	61	1	61	0	$0
Sunk Status Request	1	0	0	0	$0
Aging Fleet Request	1	1	1	0	$0
TOTALS	**223**		**240**		**$576**

*Application fee

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.

The Commerce Alternative Personnel System (CAPS) pay tables[8] for the Rest of U.S. locality rates were used to determine the base salary. The Rest of U.S. locality was used since NOAA staff are geographically dispersed. The upper bound for Interval 3 of each Pay Band was used as the base salary and a multiplier of 1.5 was used to calculate the loaded salary.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZP-2 Interval III (1 staff)	132,534	100%		$ 132,534
Other Federal Positions					
Contractor Cost					
Travel					
Other Costs:					
TOTAL					$ 132,534

[8] https://www.commerce.gov/sites/default/files/2026-01/CAPS%20Standard%20Pay%20Tables%202026.pdf

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	
Transit Waiver	2	2	2	2	1	1	No Changes
Vessel Permit Application	18	18	18	18	11	11	
Vessel Operator Permit Application	44	44	44	44	7	7	
Vessel Departure Notification	18	18	36	36	6	6	
Permit Operator Notification Changes	1	1	1	1	0	0	
Modified Net Notification	1	1	1	1	0	0	
Experimental Fishing Permit Applications and Reports	2	2	2	2	20	20	
Dolphin Mortality Limit Request	2	2	2	2	1	1	
Vessel Register Annual Notification	20	20	20	20	11	11	
Notification Prior to Transfer of Vessel to Foreign Registry and Flag	1	1	1	1	0	0	
Documentary Evidence Requests by Administrator	40	40	40	40	20	20	
Notification of Purse Seine Closure Period	10	18	10	10	2	2	Corrected the number of respondents to reflect how many are expected to respond on an annual basis. This does not change the number of responses since the previous submission indicated that each respondent would submit 1 response.
Force Majeure Exemption Request	1	1	1	1	1	1	No Changes
Application for IMO number and Exemption Application	61	61	61	61	31	31	
Sunk Status Request	1	1	0	0	0	0	
Aging Fleet Request	1	1	1	1	0	0	
Arrival Notification	0	18	0	28	0	5	These collections were transferred to 0648-0335.
Chain of Custody	0	130	0	130	0	65	
Monthly Tuna Receiving Reports	0	20	0	72	0	78	
Monthly Tuna Storage Removal Reports	0	20	0	36	0	6	
Tuna Tracking Form	0	12	0	12	0	12	
Total for Collection	**223**	**431**	**240**	**518**	**111**	**277**	
Difference	**-208 (-200 = program chg) (-8 = adjustment)**		**-278 (program chg)**		**-166 (program chg)**		

Information Collection	Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	
Vessel Permit Application	$576	$450	Caused by yearly increase and inflation of application fees
Total for Collection	$576	$450	
Difference	**$126**		

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.

For those elements of this information collection that are collected by NMFS, up to the point of submitting the information to the IATTC, sharing it with other U.S. agencies such as the USCG, or disseminating it to the public, NMFS retains control and safeguards it from improper access, modification, and destruction consistent with NOAA policies. None of the collected information is considered to be confidential or protected by NMFS as such. Once submitted to the IATTC, the IATTC will maintain and control access to information in accordance with its internal rules and procedures for dissemination of data. According to those rules and procedures, the information will be treated as public domain data; that is, it will not be treated as confidential or protected as such. Most or all of the information will be disseminated by the IATTC to the public via its public website. It will be disseminated close to its original form.

The information collected will not be disseminated by NOAA to the public since the individual reports contain no information useful to anyone outside of the Federal Government. The main purpose of the reports is to satisfy the legal mandates of Congress.

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.

This information collection will display the expiration date.

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).