SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Type-Approval Requirements for Vessel Monitoring Systems
OMB Control No. 0648-0789

Abstract

This request is for extension of a currently approved information collection. The current Code of Federal Regulations (CFR) at Title 50, part 600, subpart Q, sets forth the requirements for Enhanced Mobile Transceiver Units (EMTUs) to be type-approved by NMFS for use in federal fisheries programs. These EMTUs can either be satellite-linked systems or cellular-based hardware and software. Respondents for type-approval of vessel monitoring system (VMS) satellite- or cellular-based systems must submit a written type-approval request and electronic copies of supporting materials that include certain required information. The National Marine Fisheries Service (NMFS) Office of Law Enforcement (OLE) uses the information submitted to assess whether an EMTU or EMTU-C meets minimum technical specifications and can be approved for use in the NMFS VMS program. The information currently required to accompany an application for type-approval of VMS satellite-based systems is set forth at 50 CFR 600.1502 through 600.1507.

Information requested in the type-approval application for EMTU-Cs and EMTUs includes the information identified in 50 CFR 600, subpart Q, more specifically, 50 CFR 600.1501 through 600.1509. This identified information is also embodied in the Type-Approval Matrix form (available from NMFS OLE) that can be used by a respondent to more easily organize and submit the required information in their type-approval request to NMFS. The information will include information regarding: Characteristics of the EMTU-C or EMTU, Associated entities including manufacturer and sellers, Communication functionalities, Data formats, Data transmission details, Latency requirements, Messaging formats and transmission details, electronic forms, Data security, Customer service, Durability, and Applicant's data handling requirements.

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 Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires that the National Marine Fisheries Service (NMFS) and regional fishery management councils prevent overfishing and achieve the optimum yield from federally managed fish stocks on a continuing basis. These mandates are intended to ensure that fishery resources are managed for the greatest overall benefit to the nation, particularly with respect to providing food production and recreational opportunities and protecting marine ecosystems. To further this goal, the Magnuson-Stevens Act requires the collection of reliable data essential to the effective conservation, management, and scientific understanding of the nation's fishery resources.

50 CFR Subpart Q establishes the process and requirements for type-approval by NMFS of Enhanced Mobile Transceiver Units (EMTUs) for use in federal fisheries programs. These EMTUs can either be satellite-linked systems or cellular-based hardware and software and will transmit vessel tracking data in the U.S. vessel monitoring system (VMS). The NMFS Office of Law Enforcement (OLE) has developed a type-approval process for satellite- and cellular-based transceiver units. The vendor-companies who sell the units and associated communication services are the respondents who will submit applications for type-approval. Respondents are also the vendor-companies that have received type-approval for hardware, software, and/or mobile communications services, and are referred to in 50 CFR Subpart Q as type-approval holders.

2. 1 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.

Respondents for type-approval of VMS satellite- or cellular-based systems must submit a written type-approval request and electronic copies of supporting materials that include certain required information. The NMFS OLE uses the information to assess whether an EMTU or EMTU-C meets minimum technical specifications and can be approved for use in the NMFS VMS program. The information currently required to accompany an application for type-approval of VMS units is set forth at 50 CFR Subpart Q. The information required for type-approval of VMS cellular-based systems is substantially similar and identical except where specifically indicated (e.g., EMTU-Cs are not required to report the at-sea loss of communications signals, as proposed in 50 CFR 600.1503(e)(5)).

The information collected will not be disseminated to the public or used to support information that will be disseminated to the public.

Information requested in the type-approval application for EMTU-Cs and EMTUs includes the information identified in 50 CFR 600, subpart Q, more specifically, 50 CFR 600.1501 through 600.1509. This identified information is also embodied in the Type-Approval Matrix form that

can be used by a respondent to more easily organize and submit the required information in their type-approval request to NMFS OLE (*see Type-Approval Matrix form, attached*). The information includes information regarding:

- Characteristics of the EMTU-C or EMTU
- Associated entities including manufacturer and sellers
- Communication functionalities
- Data formats
- Data transmission details
- Latency requirements
- Messaging formats and transmission details
- Electronic forms
- Data security
- Customer service
- Durability
- Applicant's data handling requirements

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.

50 CFR Subpart Q requires potential respondents to submit a written application for their VMS unit to NMFS for review and approval. The application includes a letter to NMFS indicating the respondent's request for type-approval, a description of the unit, a list of if and how each of the type-approval requirements are or are not met (respondent may opt to use the electronic Type-Approval Matrix form available from OLE), and any supporting documentation that may be helpful for the particular unit. The application needs to be emailed to the given NMFS OLE email address.

As stated in response to Question 2, the Type-Approval Matrix form will be electronically available to an applicant upon written request (electronic or hard copy) to NMFS OLE. Using the Type-Approval Matrix form is discretionary; a respondent may choose to develop their own documentation as long as it provides the same required information.

For changes to type-approvals, revocation response, and diagnostic and troubleshooting support the use of technology would vary based on the specific circumstance and, if applicable, how each respondent chooses to respond.

As stated in 50 CFR Subpart Q, the primary purpose of this information collection is to allow for the use of VMS units and the associated communication service in federally managed fisheries.

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

50 CFR Subpart Q specifies nationwide requirements for the type-approval by NMFS of cellular and satellite transceiver units that transmit fishing vessel tracking data. No similar type-approval requirements exist elsewhere in federal regulations.

In addition, the Magnuson-Stevens Act's operational guidelines require each FMP and FMP amendment to evaluate existing state and federal laws that govern the fisheries in question, and the findings are made part of each FMP. The membership of each fishery management council is comprised of state and federal officials responsible for resource management in their area. This joint participation enables identification of other collections that may be gathering the same or similar information.

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

There are a limited number of respondents that have expressed interest or have actually applied to NMFS for type-approval of EMTU-Cs or EMTUs. Given the small number of respondents involved and the need to use a required set of data in order to perform adequate testing and analysis for type-approval, NMFS has not set out separate requirements for small businesses. However, NMFS would only request the minimum data needed to determine eligibility for type-approval from respondents.

6. Describe the consequences 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.

If this information collection were not conducted or were conducted less frequently, NMFS

would be unable to administer the national Vessel Monitoring System (VMS) type-approval program under 50 CFR Part 600, Subpart Q, severely undermining fisheries enforcement and sustainable resource management mandated by the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*).

Specifically, discontinuing or reducing the frequency of the four components of this collection would result in the following consequences:

- **Inability to Vet New Technologies and Maintain Market Competition (Applications):** Without an ongoing type-approval application process, vendors could not introduce new satellite-linked (EMTU) or cellular-based (EMTU-C) transceiver units and communication services. Commercial fishermen and NMFS would be restricted to aging legacy units that will eventually reach end-of-life and fail to keep pace with modern telecommunications standards. Blocking new vendors from entering an already specialized market would stifle competition, leading to higher equipment and airtime costs for fishing vessels.
- **Compromised Data Integrity, Latency, and Security (Changes to Type-Approvals):** Type-approval holders are required to notify NMFS Office of Law Enforcement (OLE) within 2 days of modifying or replacing any functional component of an approved unit, configuration, or mobile communications service (50 CFR 600.1511). If this reporting were eliminated or delayed, unvetted hardware or software alterations could introduce data transmission errors, unacceptable position reporting latency, or cybersecurity vulnerabilities, rendering VMS tracking data unreliable for law enforcement and judicial proceedings.
- **Erosion of Regulatory Compliance and Due Process (Revocation Responses):** When a type-approved unit fails to meet technical or regulatory standards, the revocation response and appeals process (50 CFR 600.1512–600.1514) provides a structured mechanism to resolve system failures or remove non-compliant units from the fleet. Without timely responses from vendors, NMFS could not efficiently remediate systemic tracking failures or enforce compliance across federally managed fisheries.
- **Loss of Continuous Fleet Tracking and Operational Support (24/7 Diagnostic & Troubleshooting):** Because VMS units monitor vessel activity around the clock near closed areas and international boundaries, NMFS OLE and fishermen rely on year-round, 24-hour diagnostic and troubleshooting support from approved providers. Less frequent or unavailable technical support would cause prolonged transmission outages, preventing OLE from distinguishing between legitimate equipment malfunctions and intentional tampering or illegal fishing in restricted zones."

7. Explain any special circumstances that would cause an information collection to be

conducted in a manner inconsistent with OMB guidelines.

No special circumstances are associated with this information collection.

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

A Federal Register Notice published on June 29, 2026 (91 FR 39085) solicited public comments. No comments were received during the comment period.

In addition to the Federal Register notice, NMFS contacted stakeholders outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format, and on the data elements to be recorded, disclosed, or reported. No additional PRA-related comments were received.

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

There are no payments or other remunerations to respondents.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a system of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

As stated on the Type-Approval Matrix form, data collected for this information collection are treated as confidential in accordance with the Magnuson-Stevens Act (16 U.S.C. 1881a(b)) and 50 CFR 600.415. It is NMFS' policy that confidential data are not to be released to non-authorized users, other than in aggregate form, as the Magnuson-Stevens Act protects (in perpetuity) the confidentiality of those submitting data.

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.

This information collection does not collect sensitive information.

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

For the purposes of this analysis, NMFS estimates that no EMTU-C respondents will apply for type-approval over the three-year period of this information collection[1]. NMFS estimates the number of EMTU respondents is expected to be the five current type-approved EMTU respondents nationwide plus one who is in the process of getting approved, with one additional application annually. Any individual respondent may seek type-approval for multiple EMTU-Cs or EMTUs; however, each type-approval application would be a separate response.

A potential respondent will need to complete the type-approval application and maintain a 24-hour answering service if NMFS grants approval.

For diagnostic and troubleshooting support, NMFS estimates the annual wage costs per EMTU respondent would be $34,710 (total annual wage burden for Maintenance/Diagnostic & Trouble Shooting Report ($208,258) divided by 6 respondents). NMFS has previously reimbursed respondent costs for services provided to NMFS, and therefore, assuming half of the annual support and troubleshooting services are provided to NMFS, then annual wage costs of $17,355 would be reimbursed for each of the six EMTU respondents for a total reimbursement of $104,130.

Table 1

VMS type-approval labor estimates, per respondent ($/hr. wage rate)	Application completion (hr. per application)	Changes to type-approvals (labor hr. per instance)	Revocation responses (labor hr. per instance)	Diagnostic and troubleshooting support to NMFS and fishers, 24-hr, year-round (hr.)
Type of support				
Engineer 17-2000 ($57.52)	40	16	16	16
Project Manager 13-1082 ($53.24)	40	8	8	60
Customer Service Rep 43-4051 ($22.40)	0	0	0	500
Electronics Technician 17-3023 ($38.79)	0	0	0	500
Subtotal	**80**	**24**	**24**	**1,076**

[1] The one federal fishery that allowed EMTU-Cs to be used has been revoked. There are currently no federal fisheries that allow for the use of EMTU-Cs; they all require real-time reporting, which is accomplished by the use of EMTUs.

Table 2

VMS type-approval labor estimates, per year, industry-wide	Affected respondents (n)	Responses (n)	Time per response (hr.)	Total time (hr.)
Application	1	1	80	80
Changes to type-approvals	2	1	24	48
Revocation response	1	1	24	24
Diagnostic and troubleshooting support	6	1	1,076 (annually)	6,456
Subtotal				**6,608**

Note for Tables 1-2: The application refers to the process to initially apply for type-approval (see 50 CFR 600.1501). Changes to type-approvals refers to the process of applying to make changes to the type-approved units, features, or service (see 50 CFR 600.1511). Revocations refer to the process of responding to notice of NMFS intent to revoke a type-approval (see 50 CFR 600.1512). Diagnostic services refer to the year-round services provided by the respondents.

Information Collection	Type of Respondent (Occupational Title)	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hr. / Response (d)	Total Annual Burden Hr. (e) = (c) x (d)	Mean Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
EMTU Type-Approval, Industry-Wide								
Application	Engineer Project Manager	1	1	1	80	80	$57.52 (40) $53.24 (40)	$ 2,301 $ 2,130
Changes to Type-Approvals	Engineer Project Manager	2	1	2	24	48	$57.52 (32) $53.24 (16)	$ 1,841 $ 852
Revocation Response	Engineer Project Manager	1	1	1	24	24	$57.52 (16) $53.24 (8)	$ 920 $ 426
Maintenance / Diagnostic & Troubleshooting Support	Engineer Project Manager Customer Service Rep Electronics Technician	6	1	6	1,076	6,456	$57.52 (96) $53.24 (360) $22.40 (3,000) $38.79 (3,000)	$ 5,522 $ 19,166 $ 67,200 $ 116,370
Totals				**10**		**6,608**		**$ 215,958**

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).

The estimated cost burden to VMS respondents for the VMS type-approval application process is estimated to be $2,350 per application[2].

For the purposes of this analysis, NMFS estimates that zero EMTU-C respondents would apply for type-approval over the three-year period of this information collection. NMFS estimates the number of EMTU respondents is expected to be the six current type-approved EMTU respondents nationwide, plus one additional respondent annually. Any individual respondent may seek type-approval for multiple EMTU-Cs or EMTUs; however, each type-approval application would be a separate response. Because NMFS has already type-approved EMTUs nationwide, the application burden would not apply to most EMTU respondents, except for an estimated one new respondent annually.

Information Collection	# of Respondents (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c)=(a) x (b)	Cost Burden / Response (h)	Total Annual Cost Burden (i) = (c) x (h)
Type-Approval, Industry-Wide					
Application	1	1	1	$2,350	$2,350
Changes to Type-Approvals	2	1	2	0	$ 0
Revocation Response	1	1	1	0	$ 0
Maintenance / Diagnostic & Troubleshooting Support	6	1	6	0	$ 0
TOTALS			**10**		**$2,350**

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.

NMFS estimates it would need a customer service contractor for 1,040 hours per year, and a federal program manager for 320 hours per year. The federal salaries were determined using the Department of Commerce Alternative Personnel Pay System (CAPS) pay tables for the Rest of U.S. location. The Rest of U.S. location was used as NOAA employees are geographically

[2] Per application Postage: 10 units x $50/unit = $500/application; shipping packaging: 10 units x $5/unit = $50/application; communication services during testing: $60 per month x 3 months x 10 units = $1,800. TOTAL: $2,350 per application.

dispersed. A multiplier of 1.5 was used to calculate the loaded salary. https://www.commerce.gov/sites/default/files/2026-01/CAPS%20Standard%20Pay%20Tables%202026.pdf

As provided in question 12 above, it is estimated that NMFS will reimburse each respondent a total of $17,355 for services provided to NMFS, for a total of $104,130.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZA III Step 2	$160,649	15%		$24,098
Contractor Cost		$88,514	50%		$44,257
Travel					
Other Costs: Reimbursement to EMTU and EMTU-C service providers					$104,130
TOTAL					**$172,485**

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

Previous respondents have left the program either by leaving the business or merging, and one new respondent is about to have an approved unit and may enter the program. As a result of the decrease in total respondents, the total maintenance costs will also decrease. There are currently no federal fisheries for EMTU-C respondents to apply for type-approval.

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	
EMTU: Application	1	1	1	1	80	80	No Change
EMTU: Changes to Type-Approvals	2	2	2	2	48	48	No Change
EMTU: Revocation Response	1	1	1	1	24	24	No Change
EMTU: Maintenance / Diagnostic & Troubleshooting Support	6	8	6	8	6,456	8,528	Some companies are no longer in the program, and one is about to be approved.
Total for Collection	**10**	**12**	**10**	**12**	**6,608**	**8,680**	
Difference	**-2**		**-2**		**-2,072**		

Information Collection	Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	
EMTU: Application	2,350	1,300	Estimated satellite communication rates increased,
EMTU: Changes to Type-Approvals	0	0	No Changes.
EMTU: Revocation Response	0	0	
EMTU: Maintenance / Diagnostic & Troubleshooting Support	0	0	
Total for Collection	**2,350**	**1,300**	
Difference	**+1,050**		

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The results from this information collection are not expected to be published, but NMFS OLE will publish on its website a list of VMS respondents that have been type-approved for use in federally managed fisheries where VMS use is required. The list is here:

https://www.fisheries.noaa.gov/national/enforcement/noaa-fisheries-type-approved-vms-units

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

The expiration date will be displayed on the OLE furnished Type-Approval Matrix.

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).