NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 02/04/2015

Department of Commerce
National Oceanic and Atmospheric Administration

FOR CERTIFYING OFFICIAL: Jerry Harper
FOR CLEARANCE OFFICER: Jennifer Jessup

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 01/05/2015

ACTION REQUESTED: Revision of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 201412-0648-009
AGENCY ICR TRACKING NUMBER:
TITLE: Fishermen's Contingency Fund
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved without change
OMB CONTROL NUMBER: 0648-0082
The agency is required to display the OMB Control Number and inform respondents of its legal significance in accordance with 5 CFR 1320.5(b).

EXPIRATION DATE: 02/28/2018 DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	200	1,008	500
New	80	320	500
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	0	0	0
Change due to Agency Adjustment	-120	-688	0
Change due to PRA Violation	0	0	0

TERMS OF CLEARANCE:

OMB Authorizing Official: Dominic J. Mancini
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs			
IC Title	Form No.	Form Name	CFR Citation
Fishermen's Contingency Fund Application	NOAA 88-164	Fisherman's Contingency Fund Claim Application	
Fishermen's Contingency Fund 15 Day Report	NOAA88-166	Fishermen's Contingency Fund 15-day Report	

PAPERWORK REDUCTION ACT SUBMISSION

Please read the instructions before completing this form. For additional forms or assistance in completing this form, contact your agency's Paperwork Clearance Officer. Send two copies of this form, the collection instrument to be reviewed, the supporting statement, and any additional documentation to: Office of Information and Regulatory Affairs, Office of Management and Budget, Docket Library, Room 10102, 725 17th Street NW, Washington, DC 20503.

1. Agency/Subagency originating request
DOC/NOAA/NMFS

2. OMB control number b. [ ] None
a. 0648 - 0082

3. Type of information collection (*check one*)
a. [ ] New Collection
b. [✔] Revision of a currently approved collection
c. [✔] Extension of a currently approved collection
d. [ ] Reinstatement, without change, of a previously approved collection for which approval has expired
e. [ ] Reinstatement, with change, of a previously approved collection for which approval has expired
f. [ ] Existing collection in use without an OMB control number
For b-f, note Item A2 of Supporting Statement instructions

4. Type of review requested (*check one*)
a. [✔] Regular submission
b. [ ] Emergency - Approval requested by ____/____/____
c. [ ] Delegated

5. Small entities
Will this information collection have a significant economic impact on a substantial number of small entities? [ ] Yes [✔] No

6. Requested expiration date
a. [✔] Three years from approval date b. [ ] Other Specify:____/____

7. Title Fishermen's Contingency Fund

8. Agency form number(s) (*if applicable*) NOAA Forms 88-164 and 88-166

9. Keywords Fishing, Fishing Vessels

10. Abstract

The Fishermen's Contingency Fund compensates United States (U.S.) commercial fishermen for loss of or damage to their fishing vessels or fishing gear, plus 50% of resulting economic loss, caused by oil and gas industry activities on the U.S. Outer Continental Shelf. In order to be compensated, fishermen must file a report and an application to National Oceanic and Atmospheric Administration (NOAA). There have been changes to the forms based on consultation with respondents.

11. Affected public (*Mark primary with "P" and all others that apply with "x"*)
a. P Individuals or households d. ___ Farms
b. X Business or other for-profit e. ___ Federal Government
c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government

12. Obligation to respond (*check one*)
a. [ ] Voluntary
b. [✔] Required to obtain or retain benefits
c. [ ] Mandatory

13. Annual recordkeeping and reporting burden
a. Number of respondents 40
b. Total annual responses 80
1. Percentage of these responses collected electronically 0 %
c. Total annual hours requested 320
d. Current OMB inventory 1,008
e. Difference -688
f. Explanation of difference
1. Program change
2. Adjustment -688

14. Annual reporting and recordkeeping cost burden (*in thousands of dollars*)
a. Total annualized capital/startup costs 0
b. Total annual costs (O&M) 1
c. Total annualized cost requested 1
d. Current OMB inventory 1
e. Difference 0
f. Explanation of difference
1. Program change
2. Adjustment

15. Purpose of information collection (*Mark primary with "P" and all others that apply with "X"*)
a. P Application for benefits e. ___ Program planning or management
b. ___ Program evaluation f. ___ Research
c. ___ General purpose statistics g. ___ Regulatory or compliance
d. ___ Audit

16. Frequency of recordkeeping or reporting (*check all that apply*)
a. [ ] Recordkeeping b. [ ] Third party disclosure
c. [✔] Reporting
1. [✔] On occasion 2. [ ] Weekly 3. [ ] Monthly
4. [ ] Quarterly 5. [ ] Semi-annually 6. [ ] Annually
7. [ ] Biennially 8. [ ] Other (describe) ____

17. Statistical methods
Does this information collection employ statistical methods
[ ] Yes [✔] No

18. Agency Contact (person who can best answer questions regarding the content of this submission)
Name: Elaine Saiz
Phone: (301) 427-8752

19. Certification for Paperwork Reduction Act Submissions

On behalf of this Federal Agency, I certify that the collection of information encompassed by this request complies with 5 CFR 1320.9

NOTE: The text of 5 CFR 1320.9, and the related provisions of 5 CFR 1320.8(b)(3), appear at the end of the instructions. *The certification is to be made with reference to those regulatory provisions as set forth in the instructions.*

The following is a summary of the topics, regarding the proposed collection of information, that the certification covers:

(a) It is necessary for the proper performance of agency functions;

(b) It avoids unnecessary duplication;

(c) It reduces burden on small entities;

(d) It used plain, coherent, and unambiguous terminology that is understandable to respondents;

(e) Its implementation will be consistent and compatible with current reporting and recordkeeping practices;

(f) It indicates the retention period for recordkeeping requirements;

(g) It informs respondents of the information called for under 5 CFR 1320.8(b)(3):

- (i) Why the information is being collected;
- (ii) Use of information;
- (iii) Burden estimate;
- (iv) Nature of response (voluntary, required for a benefit, mandatory);
- (v) Nature and extent of confidentiality; and
- (vi) Need to display currently valid OMB control number;

(h) It was developed by an office that has planned and allocated resources for the efficient and effective management and use of the information to be collected (see note in Item 19 of instructions);

(i) It uses effective and efficient statistical survey methodology; and

(j) It makes appropriate use of information technology.

If you are unable to certify compliance with any of the provisions, identify the item below and explain the reason in Item 18 of the Supporting Statement.

Signature of Senior Official or designee	Date

Agency Certification (signature of Assistant Administrator, Deputy Assistant Administrator, Line Office Chief Information Officer, head of MB staff for L.O.s, or of the Director of a Program or StaffOffice)	
Signature signed by Basil Brown for Brian Pawlak	Date 12/22/2014
Signature of NOAA Clearance Officer	
Signature BRABSON.SARAH.1365710488 Digitally signed by BRABSON.SARAH.1365710488 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=OTHER, cn=BRABSON.SARAH.1365710488 Date: 2015.03.13 15:39:56 -04'00'	Date

SUPPORTING STATEMENT
FISHERMEN'S CONTINGENCY FUND
OMB CONTROL NO.: 0648-0082

A. JUSTIFICATION

This request is for revision and extension of a currently approved information collection. There have been changes to the forms, based on consultation with respondents.

1. Explain the circumstances that make the collection of information necessary.

When a United States (U.S.) commercial fisherman sustains losses and/or damages as a result of oil and gas activities on the U.S. Outer Continental Shelf (OCS), the fisherman may apply for compensation from the U.S. Federal government. Title IV of the Outer Continental Shelf Lands Act Amendments of 1978 (43 U.S.C. 1841) authorizes the Fishermen's Contingency Fund (Fund or FCF) program to compensate U.S. commercial fishermen for losses of, or damages to, fishing gear or vessels, plus 50% of resulting gross economic loss, attributable to oil and gas activities on the OCS. Program requirements are set forth in 50 CFR Part 296.

The collection of the information is necessary in order for fishermen to receive FCF compensation. The Fund's 15-day report (NOAA Form 88-166) and claim application (NOAA Form 88-164) allow U.S. commercial fishermen to file claims for FCF compensation. FCF is a program administered by the National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS).

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

The information is used by NOAA NMFS to process and approve, or disapprove, FCF claims. The information is only collected when a U.S. commercial fishermen contacts FCF to file an FCF claim. The frequency is dependent on when fishermen contact FCF to file a claim.

NOAA Form 88-166, or the 15-day report, requests information including: name, address, tax identification number (TIN), vessel name, description of what caused the damage or loss, and locational coordinates of obstruction. If the 15-day report is not filed in a timely manner, the fisherman must show by a preponderance of evidence that the obstruction that caused the damage is related to OCS oil and gas activities. The 15-day report information is usually collected by NOAA NMFS during a telephone call from a fisherman.

NOAA For 88-164, or the claim application, requests information including: citizenship, TIN, details on the casualty, witness contact information, details to support and document claimed economic losses, and original signatures. This information is needed to determine if the claim is filed timely, the extent of loss or damage, the amount eligible for FCF compensation, and to approve or disapprove the claim.

NOAA NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response #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. Although the information collected is not expected to be disseminated directly to the public, results may be used in scientific, management, technical or general informational publications. Should NOAA NMFS decide to disseminate the information, it will be subject to the quality control measures and pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

The current forms are available for printing online at http://www.nmfs.noaa.gov/gpea_forms/. After approval of this request, revised forms will available as pdf-fillable forms online. Because NOAA Form 88-166 requires PII (name, address, TIN, etc.), FCF requires submission of a hard copy with original signatures. The 15-day report may be submitted telephonically.

4. Describe efforts to identify duplication.

Because NOAA NMFS is the sole provider of FCF compensation, there is no duplication of other information collection.

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

Most respondents are small businesses. The requirements are limited to those necessary to ensure that FCF only reimburses legitimate losses.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Statutorily-mandated financial assistance could not be delivered without this information collection. Since this is an application process, the frequency of response is determined by the respondents.

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

Not Applicable.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons 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 (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on August 8, 2014, (79 FR 153) solicited public comments on this extension. One comment was received. The commenter stated that the FCF should expand to allow fishermen to file for damages from wind and wave devices to be located on OCS. The authorizing legislation for FCF allows for compensation to be paid for certain damages and losses attributable to OCS oil and gas activities only. It does not authorize compensation attributable to wind and wave devices.

During the year prior to the publication of PRA Federal Register Notice, FCF reviewed issues with prior submissions and discussed possible form improvements with claimants. In response, FCF drafted proposed revisions to the two (2) forms. Prior sections that contained multiple questions were separated to simplify the responses and to help ensure more complete and accurate responses. The forms were also revised to improve the usability by allowing respondents to complete pdf versions of the forms as well as reducing the paper size from legal to letter. Because "Loran C" is no longer used for locational coordinates, the term was replaced with "GPS" for Global Positioning System. Instructions were clarified based on previous responses and comments.

FCF also directly reached out to several FCF claimants and prior FCF recipients, as well as the program specialist for a similar state-run compensation program, to obtain their views, including comments on the proposed revisions to the forms. Responses included: (1) revised forms look very simple and easier to fill out; (2) everything looks good; and (3) reviewed and no comments.

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

No payments or gifts are made other than the benefits the program disburses.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

The information collected is confidential under section 303(d) of the Magnuson-Stevens Act (16 U.S.C. 1801 *et seq*.); and also under NOAA Administrative Order (AO) 216-100, which sets forth procedures to protect confidentiality of fishery statistics. Assurance of confidentiality is stated on all forms.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. <u>Provide an estimate in hours of the burden of the collection of information</u>.

The estimated burden is as follows:

Applications: 40 respondents x 1 response x 7 hours, 45 minutes/response = 310 hours
15-day report: 40 respondents x 1 response x 15 min/response = 10 hours

Totals: 40 respondents, 80 responses, 320 hours.

13. <u>Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above)</u>.

Annualized costs per respondent are estimated at $12.50 ($8.00 for postage and $4.50 for copying). Based on 40 respondents, this equates to $500.

14. <u>Provide estimates of annualized cost to the Federal government</u>.

Number of applications times average response review time times average salary of claims examiner/hr plus 62.8% overhead and benefits = 40 x 10 hours x $47.10 = $18,840.00 + 62.8% = $30,671.52.

15. <u>Explain the reasons for any program changes or adjustments</u>.

Adjustment: The number of respondents/responses was changed based on the average number of claims filed by U.S commercial fishermen in the past and projections for the next three (3) years. The change is not the result of a deliberate Federal government action.

16. <u>For collections whose results will be published, outline the plans for tabulation and publication</u>.

The results will not be published.

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

Not Applicable.

18. <u>Explain each exception to the certification statement</u>.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

Statistical methods are not used.

U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

FISHERMEN'S CONTINGENCY FUND CLAIM APPLICATION

NOAA FORM 88-164
Revised 10-2014
OMB Control No. 0648-0082
Expiration Date: 01-31-2015

INFORMATION

Claimant's Name			SSN
Business Name			Tax ID #
Mailing Address			Citizenship
City	State	Zip	Occupation
Email Address			Cell
Vessel Name	Vessel #		Phone
Home Port	Vessel Type		Tonnage
Locational coordinates of obstruction (GPS)			Date 15-day Report filed

Did you recover the obstruction? (Y/N) If yes, keep it as evidence.	Was a Surface marker attached to or near the obstruction? (Y/N)
If obstruction dragged, at what location was it left?	Do you have photos of obstruction &/or damage? (Y/N) If yes, attach.

Describe obstruction and include if surface marker was attached or near the obstruction. State why you believe the obstruction is associated with oil and gas activities on the Federal Outer Continental Shelf.

Circumstances of Casualty (Damage or Loss)		Amount Claimed	
Date of Casualty		Gear Loss (from page 3)	
Time of Day		Gear Damage (from page 3)	
Water Depth		Vessel Damage (from page 3)	
Visibility		Vessel Loss	
Vessel's Speed		Economic Loss (from page 3)	
Vessel's Direction		Fuel (from page 3)	
How much time did casualty involve?		Other Expenses (from page 4)	
How many fishing days did you lose due to casualty?		Total	

Explain the Vessel's activity at the time of casualty.

Explain how the captain and crew responded.
Explain any attempts to retrieve gear. State the number of gear units deployed and the number lost.
Explain the extent of damage.
Explain what captain and crew did after casualty. For example, did the vessel continue to fish or return to port?
If returned to port, why?
How much time did the casualty involve?
Names of other vessels in the vicinity at the time of casualty.

Witnesses

Each claim must contain notarized statements from any material witnesses to the casualty. Statements must describe the basic circumstances (i.e. who, when, what was lost/damaged, etc.) under which the casualty occurred and any knowledge as to cause of the casualty. Statements must include the occupational status (i.e. vessel owner, vessel operator, crew, etc.). Provide the following information and attach the notarized statements. Attached additional sheets if more than 3 witnesses.

Name 1		Street Address	
City	State	Zip	Phone
Name 2		Street Address	
City	State	Zip	Phone
Name 3		Street Address	
City	State	Zip	Phone

Fuel – Complete this section if you are claiming for extra fuel consumed as a result of the casualty.

List the dollar amount for fuel you are claiming for extra fuel consumption. Explain how you calculated this amount.

How many days had you been fishing when the casualty occurred?		On the casualty trip, how many hours (total) of running time was used to go to/from your port to casualty fishing site?	
How many extra hours of running time are you claiming because of casualty?		What was the price per gallon (receipts must be submitted) did you pay for the fuel burned on the casualty trip?	

Economic Loss Claimed				
Provide the data for the following five (5) fishing trips: (a) three (3) trips prior to the casualty; (b) the casualty trip; and (c) the post-casualty trip. Attach copies of the fish trip tickets.				
Date of Trip Ticket To	From	Number of Pounds of Fish Caught	Number Days Spent Fishing	Dollar Value of Catch
1				
2				
3				
	Total			
	Average			

Take number of days lost fishing due to casualty and multiply by Average Dollar Value of Catch	=	Then multiply it by .50 for maximum amount economic loss allowed	=

Date of Trip Ticket To	From	Number of Pounds of Fish Caught	Number Days Spent Fishing	Dollar Value of Catch
4 Casualty Trip				
5 Post-Casualty				

Claimed Gear – Lost or Damaged

List each gear item for which you seek compensation. Describe item and include quantity and size.

Item	**L**ost or **D**amaged	Date of Purchase	Purchase Price	Replacement or Repair Date	Replacement or Repair Cost
			Total		

Attach additional sheet(s) if needed. Submit proof of purchase (i.e. sales receipts, affidavits, etc.), an estimate for repair or replacement, and documentation for the date repair began and ended or date the replacement gear ordered and received.

Other Expenses List any other expenses you have incurred as a result of the casualty for which your claim is filed. Submit receipts.	
Item	Amount

Other Information

Provide a statement on the amount of time lost from fishing because of the damage or loss and a full explanation of why the time period is reasonable.

Remarks and additional information.

Statements and Signatures

CRIMINAL PENALTY FOR FRAUDULENT CLAIM. Any person who files a fraudulent claim is subject to criminal prosecution under 18 U.S.C. Section 284 and 1001, each of which, upon conviction, imposes a penalty of not more than a $10,000 fine and 5 years imprisonment, or both.

Privacy Act Statement. Section 3701 (c) of title 31, United States Code, authorizes collection of this information. This information is part an application for benefits and is required to obtain those benefits. The primary use of social security numbers or taxpayer identification numbers is to verify the identity of the applicant(s) and to allow preparations of IRS 1099s for claim payments as required pursuant to Section 6109 of the Internal Revenue code.

Public reporting burden for this collection of information for a complete FCF claim (both forms 88-164 and 88-166) is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to National Marine Fisheries Service (NMFS or NOAA Fisheries), Financial Services Division, F/MB5 FCF, 1315 East West Hwy, 13th Floor, Silver Spring, MD 20910. Confidential name and address information will be released via a NOAA Fisheries website for informational purposes. All other data submitted will be handled as confidential Fishery Statistics. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

SURROGATION AGREEMENT. I, _____(name) , on behalf of individual/corporation, in consideration of the compensation received pursuant to the provisions of the Outer Continental Shelf Lands Act Amendments of 1978, Title IV, from the United States of America, represented by the Secretary of Commerce, acting by and through the Administrator for the National Oceanic and Atmospheric Administration (the Secretary) on the date hereof, I do hereby subrogate, assign, transfer and set over to the Secretary and the Secretary's successors and assigns, any and all rights and remedies, sums of money now due or owing to and nature, which I have had, or now have, or may have arising out of the loss, damage or destruction to our fishing vessel or gear for which the compensation has been granted. I hereby appoint the Secretary, the Secretary's successors and assigns, myself true and lawful attorney and attorneys, with full power of substitution and revocation, for me and in my name, or otherwise, but for the sole use benefit of the said Secretary, the Secretary's successors and assigns, to ask, demand, sue for the said claim or claims, or any part thereof.

I agree to provide the Secretary with all available and relevant information concerning the circumstances surrounding the events leading to the loss, damage or destruction for which the aforementioned compensation has been received. I also undertake to furnish the Secretary with such affidavits or declarations and to give such oral evidence as the Secretary may, in his/her discretion, deem necessary for the lawful pursuit of any claim arising from the aforementioned subrogated rights.

In witness whereof, I have hereunto set my hand on the date indicated below.

_____ _____

Signature Date

I, _____ (name), a U.S. citizen, am the _____ Owner _____ Operator of the

_____ (vessel) and have read all of the foregoing statements and supporting documents relating to this claim, and to the best of my knowledge all statements and documents are true and correct. No portion of the claimed loss and/or damage may be recoverable through an insurance claim. I also agree to repay all or any part of the award if the award should for any reason be subsequently reduced.

_____ _____

Signature Date

INSTRUCTIONS TO CLAIMANTS

I. GENERAL. The Fishermen's Contingency Fund (FCF) is authorized by Title IV of the Outer Continental Shelf (OCS) Lands Act Amendments of 1978. Its purpose is to compensate commercial fishermen for damage or loss caused by obstructions associated with OCS oil and gas activities in U.S. Federal waters. The Program is administered by the NMFS FCF, Financial Services Division F/MB5, 1315 East-West Hwy, 13th Floor, Silver Spring, MD 20910.

A. PRESUMPTION OF CAUSATION. A presumption that the damage or loss was caused by items associated with OCS oil and gas activities is allowed if you report the damage or loss to NMFS FCF within 15 days after the date your vessel first return to port after discovering damage or loss and report the required information. If the report is not submitted within the 15 day period, the presumption exception will not be allowed and you will have to prove that the obstruction causing the damage was related to OCS oil and gas activities.

B. NEGLIGENCE OR FAULT. Causalities occurring within a one-quarter (1/4) mile radius of obstructions so recorded or marked are presumed to involve your negligence or fault.

C. FILING YOUR CLAIM. You must file a complete and accurate claim within 90 days after the date you first discovered the damage or loss. The term "file" means delivered in person or mailed to NMFS FCF at the address above. Claims not filed within 90 days may not be eligible for FCF compensation. NMFS FCF suggests that claims be sent by registered or certified mail with return receipt requested.

D. FAILURE TO MEET THE FILING REQUIREMENTS. NMFS FCF may reject your Claim if it does not meet the filing requirements. If your claim is rejected, NMFS FCF will give you written notice of the reasons for rejection. If you do not refile an acceptable claim within 30 days after the date of this written notice, you will not be eligible for FCF compensation unless there are extenuating circumstances.

E. AGGREGATING CLAIMS. If more than one commercial fisherman suffers loss or damage from the same casualty, the losses should be included in one claim application.

F. AMENDMENT TO CLAIMS. You may amend your claim any time before the NMFS FCF initial determination.

II. WHAT CAN BE CLAIMED. You may file for actual and consequential damages as follows:

A. ACTUAL DAMAGES. The lesser of the gear's repair or reasonable replacement cost.

B. RESULTING ECONOMIC LOSS. Up to 50% of gross income loss, as estimated by NMFS FCF, you will lose because of not being able to fish, or having to reduce fishing effort, during the period before the damaged or lost fishing gear is repaired or replaced. This period must be reasonable and supportable by the facts and documents.

C. ATTORNEY, CPA, AND CONSULTANT FEES. Reasonable fees paid to an attorney, CPA, or other consultant for the preparation of your claim. NMFS FCF will determine what amounts are reasonable. You will not be compensated for these fees if the claim is denied.

D. CONSEQUENTIAL (OTHER) DAMAGES. Damage or loss, except personal injury, that was incurred as a consequence pf the fishing gear damage or loss.

III. NEGLIGENCE CLAIMANT. An award will be reduced to the extent that the damage or loss was caused by your negligence or fault. Basic grounds for finding a claimant negligent or at fault are listed in the FCF Regulations. Negligence of the owner or operator of fishing gear will affect crew member awards.

IV. INSURANCE PROCEEDS. An FCF award will be reduced by the amount of any compensation you are entitled to receive from insurance.

V. PENALTY FOR FALSE CLAIMS. Any person who files a fraudulent claim is subject to prosecution under 18 USC sections 2187 and 1001, each of which, upon conviction, imposes a penalty of not more than $10,000 fine and 5 years imprisonment, or both.

VI. REQUIRED DOCUMENTATION. Documents which must be submitted with your claim are:

A. Proof that you purchased the fishing gear damaged or lost. Submit copies of the best evidence available (i.e. sales receipts, affidavits, cancelled checks, or other evidence).
B. Written estimate showing repair or replacement costs for the damaged and/or lost fishing gear.
C. Prior to payment of any claim, claimant must submit documentation that the replacement gear ordered and received and/or the date gear repair began and ended.
D. Trip tickets for the three (3) vessel trips immediately before the trip during which the casualty was discovered, the casualty trip, and for the trip immediately following the trip during which the casualty occurred.
E. Photographs (if available) of the obstruction and of any damage to your gear.
F. Signed notarized statements from each witness.
G. The name, address and phone number of each person, if any, to whom you have given oral or written notice that such person caused or may have caused the damage or loss, together with a copy of any written notice given each such person and a statement whether each such person has paid or will pay you for any portion of your claim.

VII. NMFS PROCESSING OF CLAIMS.

A. NMFS FCF will process your claim and mail a written initial determination to you within 60 days of the date it is complete with regard to the information required for compensation from FCF. An initial determination will state:
   (1) If the claim is disapproved, the reason for disapproval, or
   (2) If the claim is approved, the amount of compensation and the basis on which amount was determined.
B. If you disagree with the initial determination, you or any other interested person who submitted evidence relating to the initial determination, may request a review of the initial determination.
   (1) Your written request must be postmarked within 30 days of the date of the initial determination and must fully state your reason(s) for disagreement; and
   (2) If a petition for review of an initial determination is timely filed, the NOAA Fisheries Assistant Administrator, or designee, will conduct a review of the initial determination, and issue a final determination within 60 days after the day on which the request for review of the initial determination was received.
C. If no request for initial review is submitted within 30 days, the initial determination will become a final determination.

VIII. PAYMENT OF AWARD FOR CLAIM. When an initial determination becomes final, NMFS FCF shall disburse the amount awarded.

IX. SUBROGATION. NMFS must obtain a subrogation agreement signed by you which assigns to the NMFS your rights against third parties and provides that you will assist NMFS in any reasonable way to pursue those rights.

Authority: Public Law 97-212 (43 USC 1841 *et seq.*). Regulations: 50 CFR Part 296.

Contact information: NMFS F/MB5 FCF, 1315 East West Highway, 13th Floor, Silver Spring, MD 20910. Telephone: 301.427.8725. Fax: 301.713.1306. Additional information at www.nmfs.noaa.gov/mb/financial_services/fcf.htm

U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

FISHERMEN'S CONTINGENCY FUND 15-DAY REPORT

NOAA FORM 88-166
Revised 10-2014
OMB Control No. 0648-0082
Expiration Date: 01-31-2015

Claimant's Name			SSN
Business Name			Tax ID#
Mailing Address			Phone (w)
City	State	Zip	Cell
Email Address			Phone (h)
Vessel Name	Vessel #		Date

Locational coordinates of obstruction (GPS)

Description of the nature of the damage or loss

Description of what caused the damage or loss (i.e. What did the vessel/gear hang on?)

Damage or loss discover on _____ (date) and _____(time). | Vessel returned to port on _____ (date).

Remarks, additional information, comments, etc.

INSTRUCTIONS AND INFORMATION

1. You must report the above information within 15 days after the date your vessel first returned to port after discovering such damage or loss to the Fishermen's Contingency Fund (FCF) at 301.427.8725 or to the address below.
2. You must also file a completed Claim Application within 90 days of the loss or damage. NOAA Form 88-164, FCF Claim Application Form, may be used or see the FCF Regulations at 50 CFR Part 296.
3. In order to gain a presumption that your damage or loss was caused by an item related to Outer Continental Shelf oil and gas activities, you must submit the above information to National Marine Fisheries Service (NMFS) within the 15-day period. If the report is not submitted within the 15-day period, the presumption exception will not be allowed and you will have to prove that the obstruction causing the loss or damage was related to the oil and gas activities.
4. Attached additional sheet(s), as needed.
5. Claimant must agree to repay all or any part of the award if the award should be subsequently reduced.
6. Privacy Act Statement. Section 3701 of Title 31, United States Code, authorizes collection of this information. This information is part of an application for benefits and is required to obtain those benefits. The primary use of social security numbers or taxpayer identification numbers is to verify the identity of the applicant(s) and to allow preparation of IRS Forms 1099s for claim payments, as required pursuant to Section 6109 of the Internal Revenue Code.
7. Public reporting burden for the collection of information for a complete FCF claim (both Form 88-164 and 88-166) is estimated to average 8 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the collection of information. Send comments regarding this burden estimate or any other suggestions for reducing this burden to NMFS FCF.
8. Confidential name and address information may be released via a NOAA website for informational purposes. All other data submitted will be handled as confidential material in accordance with NOAA Administrative Order 216-100, Protection of Confidential Fisheries Statistics. Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with, a collection of information subject requirements of the Paperwork Reduction Act, unless that collection of information displays a currently claim OMB Control Number.

Contact information: NMFS F/MB5 FCF, 1315 East West Highway, 13th Floor, Silver Spring, MD 20910. Telephone: 301.427.8725. Fax: 301.713.1306. Additional information at: www.nmfs.noaa.gov/mb/financial_services/fcf.htm

FCF Staff Initials

duplication, or the like, and any other similar type of unintentional error which the Secretary considers ministerial. *See* also section 735(e) of the Tariff Act of 1930, as amended.

On July 21, 2014, Tension submitted a ministerial error allegation. After analyzing Tension's allegation, we agree with Tension that the Department committed a ministerial error within the meaning of 19 CFR 351.224(f) by using an incorrect variable name for U.S. rebates. Specifically, we meant to set certain U.S. rebates to zero but inadvertently did not because we made a typographical error in the variable name in the programming.[2] Correcting this error results in the weighted-average dumping margin for Tension changing from 2.52 percent to 2.34 percent.

Amended Final Determination

The Department determines that the following weighted-average dumping margins exist for the period July 1, 2012, through June 30, 2013:

Manufacturer/Exporter	Weighted-average dumping margin (percent)
Chung Hung Steel Corp	[3] 0.00
Tension Steel Industries Co., Ltd	2.34
All Others	2.34

Continuation of Suspension of Liquidation

The Department will instruct U.S. Customs and Border Protection (CBP) to continue to suspend liquidation of all entries of certain oil country tubular goods from Taiwan—with the exception of subject merchandise produced and exported by Chung Hung Steel Corp., for which we found no weighted average dumping margin—which were entered, or withdrawn from warehouse, for consumption on or after the date of publication of the *Final Determination.* With the exception of subject merchandise produced and exported by Chung Hung Steel Corp., we will instruct CBP to require a cash deposit equal to the weighted-average amount by which normal value exceeds U.S. price, as follows: (1) The rate for Tension Steel Industries Co., Ltd., will be the rate we determined in this amended final determination; (2) if the exporter is not a firm identified in this investigation but the producer is, the rate will be the rate established for the producer of the subject merchandise; (3) the rate for all other producers or exporters will be 2.34 percent, as discussed in the ''All Others Rate'' section, below. These suspension of liquidation instructions will remain in effect until further notice.

All Others Rate

Section 735(c)(5)(A) of the Act provides that the estimated ''all others'' rate shall be an amount equal to the weighted average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely under section 776 of the Act. Because the margin for Chung Hung Steel Corp. was zero, we assigned as the all others rate the margin calculated for Tension, the only margin we calculated that was neither *de minimis* nor determined under section 776 of the Act; that rate is 2.34 percent.

U.S. International Trade Commission Notification

In accordance with section 735(d) of the Act, we notified the U.S. International Trade Commission (ITC) of the *Final Determination* and our amended final determination. As the *Final Determination* (and amended final determination) was affirmative and our amended preliminary determination was negative, in accordance with section 735(b)(3) of the Act, the ITC will determine within 75 days of the *Final Determination* whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports or sales (or the likelihood of sales) for importation of the subject merchandise. If the ITC determines that such injury exists, the Department will issue an antidumping duty order directing CBP to assess, upon further instruction by the Department, antidumping duties on all imports of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the effective date of the suspension of liquidation.

This amended final determination notice is published in accordance with section 735(e) of the Act and 19 CFR 351.224(e).

Dated: July 31, 2014.

Paul Piquado,

Assistant Secretary for Enforcement and Compliance.

[FR Doc. 2014–18831 Filed 8–7–14; 8:45 am]

BILLING CODE 3510–DS–P

[2] See Memorandum to File, ''Less-Than-Fair-Value Investigation of Certain Oil Country Tubular Goods From Taiwan: Amended Final Determination Analysis Memorandum for Tension Steel Industries,'' dated concurrently with this memorandum for the specific SAS programming language correcting the error.

[3] The rate for Chung Hung Steel Corp. did not change from the *Final Determination.*

DEPARTMENT OF COMMERCE

International Trade Administration

Renewable Energy and Energy Efficiency Trade Policy Mission to Peru

AGENCY: International Trade Administration, Department of Commerce

ACTION: Amendment.

SUMMARY: The United States Department of Commerce, International Trade Administration, U.S. and Foreign Commercial Service is amending the Notice published at 79 FR 28683, May 19, 2014, for the Renewable Energy and Energy Efficiency Trade Policy Mission to Peru originally scheduled for November 12–13, 2014, in Lima, Peru, to revise the mission description to notify potential applicants that the mission will be led by an Executive official, rather than a senior official, of the Department of Commerce. In addition, the mission will now occur November 4–5, 2014.

FOR FURTHER INFORMATION CONTACT: Ryan Mulholland, Senior Renewable Energy Trade Specialist, Office of Energy and Environmental Industries, Phone: (202) 482–4693, Email: *Ryan.Mulholland@trade.gov.*

Catherine P. Vial,

Team Leader for Environmental Industries, Office of Energy and Environmental Industries.

[FR Doc. 2014–18798 Filed 8–7–14; 8:45 am]

BILLING CODE 3510–DR–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Proposed Information Collection; Comment Request; Fishermen's Contingency Fund

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on

proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

DATES: Written comments must be submitted on or before October 7, 2014.

ADDRESSES: Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at *JJessup@doc.gov).*

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instruments and instructions should be directed to Paul Marx, (301) 427–8752 or *paul.marx@noaa.gov.*

SUPPLEMENTARY INFORMATION:

I. Abstract

This request is for revisions to, and an extension of, a currently approved information collection. United States (U.S.) commercial fishermen may file claims for compensation for losses of, or damage to, fishing gear or vessels, plus 50 percent of resulting economic losses, attributable to oil and gas activities on the U.S. Outer Continental Shelf. To obtain compensation, applicants must comply with requirements set forth in 50 CFR part 296.

The requirements include a ''report'' within 15 days of the date the vessel first returns to port after the casualty incident to gain a presumption of eligible causation and an ''application'' within 90 days of when the applicant first became aware of the lost and/or damage.

The report is NOAA Form 88–166 and it requests identifying information such as: respondent's name; address; social security number; and casualty location. The information in the report is usually completed by NOAA during a telephone call with the respondent.

The application is NOAA Form 88–164 and it requires the respondent to provide information on the property and economic losses and/or damages including: type of damage; purchase date and price of lost/damaged gear; and income from recent fishing trips. It also includes an affidavit by which the applicant attests to the truthfulness of the claim.

The currently approved forms are being revised to improve the usability by allowing respondents to complete pdf versions of the forms as well as reducing the paper size from legal to letter. Prior sections that contained multiple questions have been separated to simplify the responses and to help ensure more complete and accurate responses. Because ''Loran C'' is no longer being used for locational coordinates, the term will be replaced with ''GPS'' for Global Positioning System. Clarification of some of the instructions will also be provided based on previous applicants' responses and submitted reports and applications.

II. Method of Collection

Respondents may telephone NOAA and provide the information for the report verbally or submit a paper or electronic report. Respondents have a choice of either electronic or paper forms for the application.

III. Data

OMB Control Number: 0648–0082.

Form Number: NOAA Forms 88–164, 88–166.

Type of Review: Revision and extension of a currently approved collection.

Affected Public: Individuals or households; business or other for-profit organizations.

Estimated Number of Respondents: 40.

Estimated Time per Response: 8 hours (15 minutes for a report and 7 hours, 45 minutes for an application).

Estimated Total Annual Burden Hours: 320.

Estimated Total Annual Cost to Public: $500 in recordkeeping/filing costs.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: August 4, 2014.

Gwellnar Banks,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 2014–18754 Filed 8–7–14; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XD427

New England Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice; public meeting.

SUMMARY: The New England Fishery Management Council (Council) is scheduling a joint public meeting of its Monkfish Committee and Monkfish Advisory Panel to consider actions affecting New England fisheries in the exclusive economic zone (EEZ). Recommendations from this group will be brought to the full Council for formal consideration and action, if appropriate.

DATES: This meeting will be held on Monday, August 25, 2014 at 9:30 a.m.

ADDRESSES: The meeting will be held at the Embassy Suites Philadelphia, 9000 Bartram Avenue, Philadelphia, PA 19153; telephone: (215) 365–4500; fax: (215) 365–3195.

Council Address: New England Fishery Management Council, 50 Water Street, Mill 2, Newburyport, MA 01950.

FOR FURTHER INFORMATION CONTACT: Thomas A. Nies, Executive Director, New England Fishery Management Council; telephone: (978) 465–0492.

SUPPLEMENTARY INFORMATION: The Monkfish Oversight Committee will meet to discuss whether to continue working on measures already developed under Amendment 6, or develop other measures as part of the next monkfish action. The latest version of the Amendment 6 document includes modifications to existing monkfish landing limits and days-at-sea (DAS) measures, a new monkfish DAS leasing program, and an ITQ alternative. The committee will also consider other potential measures, raised in previous discussions and by members of the industry, that could be included in a future action. The committee will also discuss Monkfish priorities for 2015, including Research Set-Aside priorities.

Although non-emergency issues not contained in this agenda may come before this group for discussion, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically listed in this notice and any issues arising after publication of this notice that require emergency action under section 305(c) of the Magnuson-Stevens