

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Diana Hynek  
Departmental Paperwork Clearance Officer  
Office of the Chief Information Officer  
14th and Constitution Ave. NW.  
Room 6625  
Washington, DC 20230

11/29/2004

In accordance with the Paperwork Reduction Act, OMB has taken the following action on your request for the extension of approval of an information collection received on 08/31/2004.

TITLE: Tag Recapture Card

AGENCY FORM NUMBER(S): None

ACTION : APPROVED WITHOUT CHANGE

OMB NO.: 0648-0259

EXPIRATION DATE: 11/30/2007

BURDEN:	RESPONSES	HOURS	COSTS(\$,000)
Previous	240	8	0
New	240	8	0
Difference	0	0	0
Program Change		0	0
Adjustment		0	0

TERMS OF CLEARANCE: None

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OMB Authorizing Official	Title
Donald R. Arbuckle	Deputy Administrator, Office of Information and Regulatory Affairs

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# 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	2. OMB control number <span style="float: right;">b. <input type="checkbox"/> None</span> a. _____ - _____
3. Type of information collection ( <i>check one</i> ) a. <input type="checkbox"/> New Collection b. <input type="checkbox"/> Revision of a currently approved collection c. <input type="checkbox"/> Extension of a currently approved collection d. <input type="checkbox"/> Reinstatement, without change, of a previously approved collection for which approval has expired e. <input type="checkbox"/> Reinstatement, with change, of a previously approved collection for which approval has expired f. <input type="checkbox"/> Existing collection in use without an OMB control number For b-f, note Item A2 of Supporting Statement instructions	4. Type of review requested ( <i>check one</i> ) a. <input type="checkbox"/> Regular submission b. <input type="checkbox"/> Emergency - Approval requested by _____ / _____ / _____ c. <input type="checkbox"/> Delegated
7. Title	5. Small entities Will this information collection have a significant economic impact on a substantial number of small entities? <input type="checkbox"/> Yes <input type="checkbox"/> No
8. Agency form number(s) ( <i>if applicable</i> )	6. Requested expiration date a. <input type="checkbox"/> Three years from approval date b. <input type="checkbox"/> Other Specify: _____ / _____
9. Keywords	
10. Abstract	
11. Affected public ( <i>Mark primary with "P" and all others that apply with "x"</i> ) a. ___ Individuals or households d. ___ Farms b. ___ Business or other for-profit e. ___ Federal Government c. ___ Not-for-profit institutions f. ___ State, Local or Tribal Government	12. Obligation to respond ( <i>check one</i> ) a. <input type="checkbox"/> Voluntary b. <input type="checkbox"/> Required to obtain or retain benefits c. <input type="checkbox"/> Mandatory
13. Annual recordkeeping and reporting burden a. Number of respondents _____ b. Total annual responses _____ 1. Percentage of these responses collected electronically _____ % c. Total annual hours requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____	14. Annual reporting and recordkeeping cost burden ( <i>in thousands of dollars</i> ) a. Total annualized capital/startup costs _____ b. Total annual costs (O&M) _____ c. Total annualized cost requested _____ d. Current OMB inventory _____ e. Difference _____ f. Explanation of difference 1. Program change _____ 2. Adjustment _____
15. Purpose of information collection ( <i>Mark primary with "P" and all others that apply with "X"</i> ) a. ___ 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 ( <i>check all that apply</i> ) a. <input type="checkbox"/> Recordkeeping b. <input type="checkbox"/> Third party disclosure c. <input type="checkbox"/> Reporting 1. <input type="checkbox"/> On occasion 2. <input type="checkbox"/> Weekly 3. <input type="checkbox"/> Monthly 4. <input type="checkbox"/> Quarterly 5. <input type="checkbox"/> Semi-annually 6. <input type="checkbox"/> Annually 7. <input type="checkbox"/> Biennially 8. <input type="checkbox"/> Other (describe) _____
17. Statistical methods Does this information collection employ statistical methods <input type="checkbox"/> Yes <input type="checkbox"/> No	18. Agency Contact (person who can best answer questions regarding the content of this submission)  Name: _____ Phone: _____

## 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

Date

Signature of NOAA Clearance Officer

Signature

Date

**SUPPORTING STATEMENT  
TAG RECAPTURE CARD  
OMB No. 0648-0259**

**A. JUSTIFICATION**

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

The Cooperative Gamefish Tagging Program (CGFTP) was initiated in 1971 as part of a comprehensive research program resulting from passage of PL 86-395 and other legislative acts under which the National Marine Fisheries Service operates. The CGFTP is now known as the Cooperative Tagging Center (CTC). The CTC attempts to determine the migratory patterns and other biological information of billfish, tunas, red drum, tarpon, amberjack, cobia, king mackerel and numerous other species by having fishermen tag and release their catch, so that fish can be subsequently recaptured.

Tagging and releasing fish is a voluntary activity. However, for the program to provide useful scientific data, certain information is required. Information on the actual tagging is needed and the “Tag Issue Report” is the form used by the fishermen to report a tagged fish. That form is approved under OMB No. 0648-0247.

The “Tag Recapture Card”, OMB No. 0648-0259, is used by fishermen to provide information on the capture of fish that have been tagged. Forms are distributed to various fishing boat captains. If a tagged fish is caught, the Tag Recapture Card is completed and mailed to the Southeast Fisheries Science Center. The data on the fish is recorded and matched with the data that was reported on the Issue Report. In some instances, the angler may not have a card or simply prefers to phone in a tag recapture rather than fill out and mail the card to the CTC. The estimated burden includes all (both mail and phone) recapture reports.

**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.**

Information on each species is used by NMFS to determine migratory patterns, distance traveled, stock boundaries, and age and growth data. These data are necessary inputs for developing management criteria by regional fishery management councils, states and NMFS. The Tag Recapture Cards are necessary to facilitate the volunteer fishermen in recording when and where the fish was tagged, the species, its estimated length and weight, tag number, and information about the person who tagged the fish. Failure to obtain this data would make management decisions much more difficult and would be contrary to the NMFS policy objectives. Without receiving recapture information the release information is of little value.

The information collection is designed to yield data that meet applicable information quality guidelines. Prior to any dissemination, the information will meet the quality control measures

and pre-dissemination review requirements of the NOAA Information Quality Guidelines (see <http://www.noaanews.noaa.gov/stories/iq.htm> ).

**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.**

No other satisfactory method of obtaining movement and other tag related information on fishes has been identified given the fact cards are often completed on small vessels.

**4. Describe efforts to identify duplication.**

No duplication was evident during consultations with other conservation agencies.

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

The collection does not involve small businesses.

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

The usefulness of this program would be compromised if the collection of these data did not take place on a continual basis. It would be impossible to track trends in fish movement, stock definitions, and growth rates. In addition, operating the program on a less than annual frequency would have an adverse effect on the voluntary participation rate.

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

No special circumstances are required.

**8. Provide a copy of 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 copy of the PRA Federal Register Notice soliciting comments is attached. No comments were received. The NMFS has sole Federal authority to obtain these data. However, consultations take place on a continuous basis with fishery commissions and other agencies in the eastern United States, Puerto Rico, U.S. Virgin Islands and other participating nations throughout the Atlantic Ocean. In practice, individual states have deferred to the NMFS effort because of its expertise, its broader geographical range of coverage, and the long established cooperation of fishermen and their organizations.

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

As an incentive for participating in the CTC tagging program we provide fishermen who recapture a tagged fish CTC baseball caps. Tag history is made available to fishermen involved with each tag.

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

All data are confidential in accordance with NAO 216-100, Protection of Confidential Fisheries Statistics.

**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. Provide an estimate in hours of the burden of the collection of information.**

We estimate that approximately two minutes are required to complete the Recapture Form. Thus, the total burden on the public is estimated to be eight hours.

Estimated responses per year	240
<u>Mean time/response</u>	<u>x 0.033</u>
Total Hours	8
The cost is: Hourly rate =	\$10.00
<u>Total hours =</u>	<u>8</u>
	\$80.00

**13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection.**

There are no start-up or other costs to the public.

**14. Provide estimates of annualized cost to the Federal government.**

Annualized cost to the Federal government:

240 responses x \$8.82 per hour (GS5 step 1) x \$1.55 (overhead, printing, mailing) = \$3,281.04

315 cards printed/year x \$0.15 per card = \$47.25

240 hats x \$5.85/hat = \$1,404

Total cost = \$4,732.29

**15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.**

No changes are requested.

**16. For collections whose results will be published, outline the plans for tabulation and publication.**

A summary of tagging effort is produced annually. Data are used in scientific studies, journal articles, and stock assessments conducted by NMFS.

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

Not applicable.

**18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.**

Not applicable.

**B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS**

Statistical methods are not used.

FRONT OF CARD

OMB Approved No. 0648-0259 Expires 5/31/2004

TAG RECAPTURE CARD

1. SPECIES: \_\_\_\_\_
2. TAG NUMBER: \_\_\_\_\_
3. DATE RECAPTURED: \_\_\_\_\_
4. LOCATION/COUNTRY RECAPTURED: \_\_\_\_\_
5. LENGTH (inches/centimeters): \_\_\_\_\_ (lower jaw fork length)
6. WEIGHT (pounds/kilograms): \_\_\_\_\_ SEX: male \_\_\_ female \_\_\_
7. FISHING GEAR: \_\_\_\_\_
8. NAMES OF BOAT AND CAPTAIN/ANGLER: \_\_\_\_\_
9. ADDRESS OF (8) ABOVE: \_\_\_\_\_
10. PHONE OF (8) ABOVE: \_\_\_\_\_
11. HAS FISH BEEN SAVED (FREEZING) SO IT CAN BE SAMPLED?  
YES \_\_\_\_\_ NO \_\_\_\_\_  
THERE IS AN EXTRA REWARD FOR A FROZEN FISH. CALL COLLECT  
(305) 361-4248 (Daytime)  
(305) 589-0944 (Night/Weekends)
12. COMMENTS \_\_\_\_\_  
\_\_\_\_\_

BACK OF CARD

IN ORDER TO OBTAIN REWAED, REMOVE TAG FROM FISH, CUT METAL PART OFF, AND MAIL TAG AND THIS CARD IN ENVELOPE TO:

NATIONAL MARINE FISHERIES SERVICE  
75 VIRGINIA BEACH DRIVE  
MIAMI, FLORIDA 33149  
U.S.A.

OR

YOUR LOCAL FISHERY OFFICER

Public reporting burden for this collection of information is estimated to average two (2) minutes 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 of any other aspect of this collection of information, including suggestions for reducing this burden, to Robert Sadler, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702 U.S.A.

The requested tag recapture information is needed to aid NOAA in the management of marine fisheries. The information will be used to determine migratory patterns and other biological information on the species tagged. Your response is voluntary and will be treated confidentially under NOAA Administrative Order 216-100. Notwithstanding any other provision 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 to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.

**Sec. 1881c. Fisheries research**

- (a) In general  
The Secretary shall initiate and maintain, in cooperation with the Councils, a comprehensive program of fishery research to carry out and further the purposes, policy, and provisions of this chapter. Such program shall be designed to acquire knowledge and information, including statistics, on fishery conservation and management and on the economics and social characteristics of the fisheries.
- (b) Strategic plan  
Within one year after October 11, 1996, and at least every 3 years thereafter, the Secretary shall develop and publish in the Federal Register a strategic plan for fisheries research for the 5 years immediately following such publication. The plan shall -
  - (1) identify and describe a comprehensive program with a limited number of priority objectives for research in each of the areas specified in subsection (c) of this section;
  - (2) indicate goals and timetables for the program described in paragraph (1);
  - (3) provide a role for commercial fishermen in such research, including involvement in field testing;
  - (4) provide for collection and dissemination, in a timely manner, of complete and accurate information concerning fishing activities, catch, effort, stock assessments, and other research conducted under this section; and
  - (5) be developed in cooperation with the Councils and affected States, and provide for coordination with the Councils, affected States, and other research entities.
- (c) Areas of research  
Areas of research are as follows:
  - (1) Research to support fishery conservation and management, including but not limited to, biological research concerning the abundance and life history parameters of stocks of fish, the interdependence of fisheries or stocks of fish, the identification of essential fish habitat, the impact of pollution on fish populations, the impact of wetland and estuarine degradation, and other factors affecting the abundance and availability of fish.
  - (2) Conservation engineering research, including the study of fish behavior and the development and testing of new gear technology and fishing techniques to minimize bycatch and any adverse effects on essential fish habitat and promote efficient harvest of target species.
  - (3) Research on the fisheries, including the social, cultural, and economic relationships among fishing vessel owners, crew,

United States fish processors, associated shoreside labor, seafood markets and fishing communities.

- (4) Information management research, including the development of a fishery information base and an information management system under section [1881](#) of this title that will permit the full use of information in the support of effective fishery conservation and management.

- (d) Public notice

In developing the plan required under subsection (a) of this section, the Secretary shall consult with relevant Federal, State, and international agencies, scientific and technical experts, and other interested persons, public and private, and shall publish a proposed plan in the Federal Register for the purpose of receiving public comment on the plan. The Secretary shall ensure that affected commercial fishermen are actively involved in the development of the portion of the plan pertaining to conservation engineering research. Upon final publication in the Federal Register, the plan shall be submitted by the Secretary to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Resources of the House of Representatives.

with section 351.305 of the Department's regulations. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the terms of an APO is a sanctionable violation.

This determination is issued and published in accordance with sections 735(d) and 777(i)(1) of the Act.

Dated: June 10, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

### Appendix: Issues in the Final Decision Memorandum

Comment 1: The Use of Adverse Facts Available

Comment 2: Starting Point for Calculation of Export Price

Comment 3: Freight Deduction to Calculation of Export Price

Comment 4: Surrogate Values for the Ocean Freight Deduction

Comment 5: Multi-Stage Factors of Production

Comment 6: THFA Production Starting Point

Comment 7: Furfural Value

Comment 8: Values for Dregs and Residue

Comment 9: Value for Hydrogen

Comment 10: Packing Value

[FR Doc. 04-13817 Filed 6-17-04; 8:45 am]

BILLING CODE 3510-25-P

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 061404E]

#### Proposed Information Collection; Comment Request; Tag Recapture Card

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).  
**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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before August 17, 2004.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Eric Orbesen, 1-800-437-3936.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The primary objectives of a tagging program are to obtain scientific information on fish growth and movements necessary to assist in stock assessment and management. This is accomplished by the random recapture of tagged fish by fishermen and the subsequent voluntary submission of the appropriate data.

##### II. Method of Collection

The recapture cards will be sent out to the constituents who will fill out the cards with the pertinent information when and if they recapture a tagged fish and mail the cards as instructed on the card.

##### III. Data

*OMB Number:* 0648-0259.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Individuals or households.

*Estimated Number of Respondents:* 240.

*Estimated Time Per Response:* .033 hours (2 minutes).

*Estimated Total Annual Burden Hours:* 8 hours.

*Estimated Total Annual Cost to Public:* \$0.

##### 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: June 10, 2004.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 04-13803 Filed 6-17-04; 8:45 am]

BILLING CODE 3510-22-S

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 061504B]

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

**AGENCY:** National Oceanic and Atmospheric Administration (NOAA).  
**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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before August 17, 2004.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Charles L. Cooper, Financial Services Division, F/MB5, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, MD 20910, phone 301-713-2396.

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

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 incident to gain a presumption of eligible causation and an application form.