

NOTICE OF OFFICE OF MANAGEMENT AND BUDGET ACTION

Date 12/28/2006

Department of Commerce
National Oceanic and Atmospheric Administration
FOR CERTIFYING OFFICIAL: Barry West
FOR CLEARANCE OFFICER: Diana Hynek

In accordance with the Paperwork Reduction Act, OMB has taken action on your request received 11/15/2006

ACTION REQUESTED: Revision of a currently approved collection
TYPE OF REVIEW REQUESTED: Regular
ICR REFERENCE NUMBER: 200611-0648-008
TITLE: Alaska Rockfish Pilot Program
LIST OF INFORMATION COLLECTIONS: See next page

OMB ACTION: Approved with change
OMB CONTROL NUMBER: 0648-0545

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: 07/31/2009

DISCONTINUE DATE:

BURDEN:	RESPONSES	HOURS	COSTS
Previous	1,369	3,267	6,000
New	1,408	3,285	5,954
Difference			
Change due to New Statute	0	0	0
Change due to Agency Discretion	39	18	-46
Change due to Agency Adjustment	0	0	0
Change Due to Potential Violation of the PRA	0	0	0

TERMS OF CLEARANCE: The agency has not demonstrated practical utility of collecting SSN consistent with the cited statutory authority. Without a demonstration of such practical utility, the collection of SSN may not be mandatory on the forms in this collection, and the agency should cite separate statutory authority to collect the information on a voluntary basis. Therefore, this collection is approved without the question for SSN.

OMB Authorizing Official:

John F. Morrall III
Acting Deputy Administrator,
Office Of Information And Regulatory Affairs

List of ICs

IC Title	Form No.	Form Name	CFR Citation
Alaska Rockfish Pilot Program	NA, NA, NA, NA, NA, NA	Application for Rockfish Limited Access Fishery, Application for Entry Level Rockfish Fishery, Application for Rockfish Cooperative Fishing Quota, Application to Participate in the Rockfish Pilot Program, Application to Opt Out of Rockfish Fishery, Application for Inter-Cooperative Transfer of Cooperative Fishing Quota - Rockfish Fishery	

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 b. <input type="checkbox"/> None 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
ALASKA ROCKFISH PILOT PROGRAM
OMB CONTROL NO.: 0648-0545**

INTRODUCTION

In Section 802 of the Consolidated Appropriations Act of 2004, the U.S. Congress included a directive to the Secretary of Commerce to establish, in consultation with the North Pacific Fishery Management Council, a pilot program for management of three rockfish fisheries in the Central Gulf of Alaska (CGOA) in the Exclusive Economic Zone off the coast of Alaska. The Rockfish Program provides exclusive harvesting and processing privileges for a specific set of rockfish species and associated species harvested incidentally to those CGOA rockfish; an area from 140° W. long. to 168° W. long. Implementing regulations may be found at 50 CFR part 679 (see attached FR 0648-AT71).

This action is a request for revision of an existing collection. The collection revision is necessary due to removal of one form, addition of another form, and minor revisions to other forms. In addition, National Marine Fisheries Service (NMFS) changed the submittal date for some applications. These changes are in response to: 1) comments received on the proposed rule [71 FR 33040, June 7, 2006](#) and 2) National Oceanic and Atmospheric Administration (NOAA) policy clarifying the collection of the social security number under the Debt Collection Improvement Act of 1996 (Public Law 104-134) (Debt Collection Act).

A. JUSTIFICATION

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

NMFS will issue a final rule (RIN 0648-AT71) to implement Amendment 68 to the Fishery Management Plan for Groundfish of the Gulf of Alaska (FMP). This rule will implement statutory provisions for the CGOA Rockfish Pilot Program (hereinafter referred to as the Program). Changes occur to this collection due to comments NMFS received on the proposed rule and also changes pertinent to the Debt Collection Act.

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.

a. General changes.

1. NMFS adopted a new term “cooperative quota (CQ),” to replace the term “cooperative fishing quota (CFQ)” to reduce confusion with an acronym used by the Council in the Gulf of Alaska (GOA) rationalization program under development.

2. In response to public comment requesting additional time to prepare and submit the annual application for CQ, the rockfish limited access fishery, entry-level fishery, and opt-out fishery, NMFS changed the submittal date from December 1 of the year prior to fishing to March

1 of the year in which the person intends to fish. This deadline change provides both the time to gather records and coordinate with other participants in the fishery.

3. In response to recent DOC policy (attached), clarifying collection of the social security number under the Debt Collection Act, one field, the mandatory social security number (or tax id number) was added to the quota permit application. Date of birth (or date of incorporation) is also now required, in conformance with a pending memo from the NMFS Under Secretary, to assist with identification purposes. Both were added to the limited access application and the opt out application. Tax ID number was removed from the inter-cooperative transfer application. The burden estimate for these applications is very liberal, estimated to be 2 hours. Therefore, the addition of three fields of information readily available is not expected to increase the burden estimate.

b. Rockfish cooperative vessel check -in and check-out.

A new requirement is added to this collection. Instead of requiring a cooperative permit revision through a lengthy procedure when changes occur in vessels fishing under a CQ permit, NMFS established a more flexible reporting system that allows a cooperative's authorized representative to submit a list of vessels fishing under its CQ permit. The cooperative would submit this list prior to fishing activity, an action that would "check-in" the cooperative. This would allow the cooperative to determine how and when vessels will fish under a CQ permit. Authorized cooperative representatives could "check-in" a vessel when it is fishing under a CQ permit during the rockfish cooperative fishing year, and "check-out" vessels no longer fishing under its CQ permit.

Vessel check-in report.

Rockfish cooperatives would need to designate at least one vessel to fish the CQ permit for that cooperative effective on May 1. The authorized representative must designate any vessel that is fishing under a CQ permit before that vessel may fish under a CQ permit for that rockfish cooperative through this check-in procedure. A vessel check-in must be submitted 48 hours prior to the beginning of a fishing trip by that vessel. A check-in report is effective at the beginning of the first fishing trip after the designation has been submitted. This advance notice may take the form of a letter which includes a list of vessels and will provide NMFS time to adjust catch accounting procedures and accurately monitor catch.

The authorized representative could submit no more check-in reports in a calendar year than an amount equal to three times the number of License Limitation Program (LLP) licenses that are assigned to that rockfish cooperative in that calendar year. This limit would reduce the number of check-in reports and vessels that NMFS must track and reduce the chance that specific vessel's catch is misapplied in NMFS' catch accounting system.

Vessel check-out.

The authorized representative must designate any vessel that is no longer fishing under a CQ permit for that rockfish cooperative. The authorized representative could submit no more check-out reports in a calendar year than an amount equal to three times the number of LLP licenses that are assigned to that rockfish cooperative in that calendar year. A vessel checkout must be

submitted within 6 hours after the effective date and time of the designation. This will ensure that catch is properly debited against a CQ account and reduces the risk that a subsequent trip would be misapplied as occurring under a CQ permit and have to be corrected. This designation is effective the earlier of:

The end of a complete offload if that vessel is fishing under a CQ permit for a catcher vessel cooperative; or

The end of the week-ending date as reported in the weekly production report if that vessel is fishing under a CQ permit for a catcher/processor cooperative; or

The end of a complete offload if that vessel is fishing under a CQ permit for a catcher/processor cooperative.

The authorized representative of the rockfish cooperative must submit a vessel check-in or check-out report by one of the following methods:

By mail to: Sustainable Fisheries, P.O. Box 21668 Juneau, AK 99802-1668; or

By fax to: 907-586-7131.

Vessel Check-in/Check-out Report

CQ Permit number

Vessel ADF&G vessel registration number and USCG documentation number

Date and time when check-in or check-out begins

Vessel Check-in/Check-out Report , Respondent	
Number of respondents	20
Total annual responses	40
Number responses per respondent = 2	
Total burden hours	20 hr
Time per response = 30 min = 30/60 = 0.5	
Total personnel cost (20 x 25)	\$500
Total miscellaneous costs	\$112
Postage cost (0.39 x 20 = 7.80)	
Photocopy cost (0.05 x 2 x 40 = 4)	
FAX cost (\$5 x 20 = 100)	

Vessel check-in/Check-out Report, Federal Government	
Total annual responses	40
Total burden hours (40 x .25)	10
Time per response = 15/60 min = .25	
Total personnel cost (10 x \$25)	\$250
Total miscellaneous cost	0

c. Application to Transfer Eligible Rockfish Processor Permit. [Removed]

d. Application to Participate in the Rockfish Pilot Program.

To become an eligible processor or harvester, an eligible harvester or processor must submit an Application to Participate in the Rockfish Program. Once a person holding a valid fully transferable LLP license with legal rockfish landings has submitted a complete application that is approved by NMFS, that person would be an eligible harvester. Once a person with processing

history has submitted a complete application that is approved by NMFS, that person would be an eligible rockfish processor.

The application must be received by NMFS no later than January 2, 2007, or postmarked by that date (if mailed). The application form is available on the NMFS, Alaska Region website (<http://www.fakr.noaa.gov>). Also, interested persons may contact NMFS to request an application package (telephone: (907) 586-7344). Further, NMFS will mail an application package to all potentially eligible LLP license holders based on the address on record at the time the application period opens. An application may be submitted by mail, fax, or hand delivery.

Application to Participate in the Rockfish Pilot Program

Indicate type of eligibility for which you are applying

Block A -- Applicant information.

Applicant's name, NMFS person ID (if applicable), and tax ID or social security number* (required)

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.*

Permanent business mailing address, business telephone number, fax number, and e-mail address (if available);

Indicate (YES or NO) if the applicant is a U.S. citizen; if YES, provide date of birth

Indicate (YES or NO) if the applicant is a U.S. corporation, partnership, association, or other business Entity; if YES, provide date of incorporation

Indicate (YES or NO) if the applicant is a successor-in-interest to a deceased individual or to a non-individual no longer in existence; if YES attach death certificate or evidence of dissolution.

Block B – Agreement with rockfish program official record

Agree. If agree with official rockfish program record summary, sign application

Disagree. If disagree with official rockfish program record summary, complete Block C, or Blocks D and E, and sign in Block F; attach explanation of disagreement and provide evidence to support claims.

Did not receive an official rockfish program record summary. Complete Block C or Blocks D and E, and sign in Block F; attach explanation for basis or eligibility

Block C -- Harvester Legal rockfish landings

If claiming Legal Rockfish Landings associated with a groundfish LLP license, and you **do not agree** with the official rockfish program record, enter the following information

Original Qualifying Vessel (OOV)

LLP license number

Name of vessel

Alaska Department of Fish and Game (ADF&G) vessel registration number

United States Coast Guard (USCG) documentation number

Date landings made in 2000 or 2001

All other vessels used under this LLP license

LLP license number

Name(s), ADF&G No., and USCG No. of vessel

Date landings made in 2000 or 2001

Block D – Legal rockfish landings in catcher/processor sector

If claiming Legal Rockfish Landings in the Catcher/Processor Sector and you **do not agree** with the official rockfish program record, enter the following information

LLP license number

Catcher/processor name

ADF&G vessel registration number

USCG documentation number

Block E – Processor eligibility

Indicate (YES or NO) whether applicant received not less than 250 metric tons in round weight equivalent of aggregate Legal Rockfish Landings of Primary Rockfish Species each calendar year in any four of the five calendar years beginning 1996 through 2000 during the season dates for that Primary Rockfish Species as

established in Table 28 to part 679

If YES, enter the following information for each processor where legal rockfish landings were received

Name of receiving processor

ADF&G processor code

Qualifying years/seasons

Name of the community in which the primary species rockfish were processed.

Enter the four calendar years from 1996 through 2000, that applicant wishes NMFS to use to determine an association with a rockfish cooperative

Attach a copy of the contract showing the legal processing history.

Block F -- Applicant signature and certification.

Signature of applicant and date signed

Printed name of applicant (or authorized representative); if representative, attach authorization

Application to Participate in the Rockfish Pilot Program, Respondent	
Number of respondents	71
48 catcher vessels	
15 catcher/processors	
8 shoreside processors and SFPs	
Total annual responses	71
Number responses per respondent = 1	
Total burden hours	142
Time per response = 2 hr	
Total personnel cost (142 x 25)	\$3550
Total miscellaneous costs (269.50)	\$270
Postage cost (0.39 x 20 = 7.80)	
Photocopy cost (0.05 x 2 x 71 = 7.10)	
FAX cost (\$5 x 51 = 255)	

Application to Participate in the Rockfish Pilot Program, Federal Government	
Total annual responses	71
Total burden hours (71 x 0.5= 35.50)	35
Time per response = 30/60 min = .5	
Total personnel cost (35 x \$25)	875
Total miscellaneous cost	0

Before fishing begins in January of 2007 or 2008, NMFS requires eligible rockfish harvesters to declare (file an application) if they are going to participate in a cooperative, limited access fishery, or opt-out fishery. This declaration helps NMFS decide how to monitor harvests, and whether there is sufficient catch available in a limited access fishery to allow NMFS to open the fishery without risk of exceeding the available catch. These declarations are due by March 1 of the year fishing will occur. These applications apply for one year.

e. Application for Rockfish Cooperative Fishing Quota (CQ).

The Program regulates the formation of cooperatives and the use of the annual catch amount by the cooperative. In addition to the requirements for the application to join a cooperative, an eligible rockfish harvester or eligible rockfish processor must meet specific requirements that differ between the catcher vessel sector and the catcher/processor sector. Each Rockfish Cooperative must be formed as a partnership, corporation, or other legal business entity that is registered under the laws of one of the 50 states or the District of Columbia. Each Rockfish Cooperative must appoint an individual as designated representative to act on the Rockfish Cooperative's behalf and serve as contact point for NMFS for questions regarding the operation

of the Rockfish Cooperative. The designated representative may be a member of the Rockfish Cooperative or some other individual authorized by the Rockfish Cooperative to act on its behalf. A cooperative that submits a complete application that is approved by NMFS will receive a Rockfish Cooperative permit and annual allocation.

Application for Rockfish Cooperative Fishing Quota (CQ)

Block A – Rockfish Cooperative Identification

Legal name
Type of business entity under which organized
State in which legally registered as a business entity
Date of incorporation
Tax ID number*

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.*

Printed name and signature of designated representative and date signed
Permanent business address, telephone number, fax number, and e-mail address (if available)

Block B – Members of the Rockfish Cooperative

Harvester identification
Full name and NMFS Person ID
LLP license number(s)
Tax ID or social security number*

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.*

Name, ADF&G vessel registration number, and USCG documentation number of vessel on which CQ issued to rockfish cooperative will be used

LLP Holdership documentation
Names of all persons, to the individual level, holding an ownership interest in the LLP license
Percentage ownership each person and individual holds in the LLP license

Block C -- Processor Associates of the Rockfish Cooperative

Identification
Full name and NMFS Person ID
Tax ID*

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.*

Processing facility name, ADF&G processor code, and Federal Fisheries Permit (FPP) number
Stationary floating processor name, ADF&G processor code, FPP number, and USCG documentation number

Processor ownership documentation
Names of all persons, to the individual level, holding an ownership interest in the processor
Percentage ownership each person and individual holds in the processor.

Attachments

Attach to the application
A copy of the business license issued by the state in which the Cooperative is registered as a business entity;
A copy of the articles of incorporation or partnership agreement of the Rockfish Cooperative

A copy of the membership agreement signed by the members of the rockfish cooperative (if different from the articles of incorporation or partnership agreement of the rockfish cooperative)
 Any article of incorporation or agreement submitted by the Rockfish Cooperative must include terms that specify that:
 Eligible processor affiliated harvesters do not participate in price setting negotiations except as permitted by general antitrust law; and
 The Rockfish Cooperative has established a monitoring program sufficient to ensure compliance with the Rockfish Program.

Block D – Certification of applicant

Signature of applicant and date signed
 Printed name of applicant (or authorized representative); if representative, attach authorization

Application for Rockfish Cooperative CQ, Respondent	
Number of respondents	20
Total annual responses (1 response per respondent)	20
Total burden hours	40
Time per response = 2 hr	
Total personnel cost (\$25 x 40)	1000
Total miscellaneous costs	79
Postage cost (0.39 x 5 = 1.95)	
Photocopy cost (0.05 x 2 x 20 = 2)	
FAX cost (\$5 x 15 = 75)	

Application for Rockfish Cooperative CQ, Federal Government	
Total responses	20
Total burden hours (0.5 x 20 = 2.5)	10
Time per response = 30/60 min = 0.5	
Total personnel cost (\$25 x 10)	250
Total miscellaneous cost	0

f. Application for rockfish limited access fishery

An eligible rockfish harvester or eligible rockfish processor may fish in the limited access fishery if that person chooses not, or cannot, participate in a cooperative or the opt-out fishery.

Application for rockfish limited access fishery

Block A -- Applicant information

Applicant's name and NMFS person ID
 Tax ID or social security number*

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government*

Permanent business mailing address
 Business telephone number, fax number, and e-mail address (if available)
 Indicate (YES or NO) if the applicant is a U.S. citizen; if YES, provide date of birth
 Indicate (YES or NO) if the applicant is a U.S. corporation, partnership, association, or other business Entity; if YES, provide date of incorporation
 Whether the applicant is an Eligible Rockfish Harvester
 Whether the applicant is participating in the Limited Access Fishery

Block B -- Vessel identification

Vessel name
 ADF&G vessel registration number, USCG documentation number, and LLP license number(s) held by the applicant and used on that vessel.

Block C – LLP Holdership documentation.

Names of all persons, to the individual level, holding an ownership interest in the LLP license
Percentage ownership each person and individual holds in the LLP license.

Block D -- Applicant certification

Signature of applicant and date signed
Printed name of applicant; if submitted by a representative, attach authorization

Application for Rockfish Limited Access Fishery, Respondent	
Number of respondents	40
Total annual responses	40
Total annual time burden hours	80
Time per response = 2 hr	
Total personnel cost (80 x \$25)	\$2000
Total miscellaneous cost	\$181
Postage cost (0.39 x 5 = 1.95)	
Photocopy cost (0.05 x 2 x 40 = 4)	
FAX cost (\$5 x 35 = 175)	

Application for Rockfish Limited Access Fishery, Federal Government	
Total annual responses	40
Total annual time burden hours	20
Time per response = 30 min/60 = 0.5	
Total personnel cost (20 x \$25)	500
Total miscellaneous cost	0

g. Application for Entry-Level Rockfish Fishery.

The entry-level fishery is available for all persons who are not eligible rockfish harvesters or processors. This fishery is intended to provide opportunities for harvesters and processors who have not traditionally participated in the CGOA rockfish fisheries. An applicant must be a U.S. citizen or U.S. corporation, partnership, association, or other business entity to participate as a harvester.

Application for Entry-Level Rockfish Fishery

Block A -- Applicant Information

Name and NMFS person ID (if applicable)
Tax ID or social security number* (required)

*The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person’s relationship with the government.

Permanent business mailing address
Business telephone number, fax number, and e-mail address (if available);
Indicate (YES or NO) whether applicant is a U.S. citizen; If YES, enter date of birth
Indicate (YES or NO) whether applicant is a U.S. corporation, partnership, association, or other business entity;
if YES, enter the date of incorporation;

Block B – Vessel Information

Vessel name
ADF&G vessel registration number and USCG documentation number of the vessel
LLP license number(s) held by the applicant and used on that vessel.

Block C -- Attachments

Attach a statement from an eligible entry level processor that affirms that the processor has a market for any rockfish delivered by that harvester in the entry-level fishery

Block D -- Applicant certification

Signature of applicant and date signed

Printed name of applicant (or authorized representative); if representative, attach authorization

Application for Entry-Level Rockfish Fishery, Respondent	
Number of respondents	1071
171 trawl vessels	
900 non-trawl vessels	
Total annual responses	1071
Total annual time burden hours	2142
Time per response = 2 hr	
Total personnel cost to all applicants (2142 x \$25)	\$53550
Total miscellaneous cost	\$5135
Postage cost (0.39 x 71 = 27.69)	
Photocopy cost (0.05 x 2 x 1071 =107.10)	
FAX cost (\$5 x 1000 = 5000)	

Application for Entry-Level Rockfish Fishery, Federal Government	
Total responses	1071
Total burden hours (1071 x 0.5)	535
Time per response = 30/60 = 0.5	
Total personnel cost (535 x \$25)	\$13375
Total miscellaneous cost	0

h. Application to Opt-out of Rockfish Fishery.

An eligible rockfish harvester that holds an LLP license with a catch history allocation in the catcher/processor sector may choose to opt-out of many of the Program restrictions. If an eligible catcher/processor assigns an LLP license to the opt-out fishery, then that LLP license may not be used on a vessel that is participating in a cooperative, limited access fishery, or the entry level fishery.

Application to Opt-out of Rockfish Fishery

Block A -- Applicant information

Name and NMFS person ID

Tax ID or social security number

*The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.

Permanent business mailing address

Business telephone number, fax number, and e-mail address (if available)

Indicate (YES or NO) whether applicant is a U.S. citizen; If YES, enter date of birth

Indicate (YES or NO) whether applicant is a U.S. corporation, partnership, association, or other business entity; if YES, enter the date of incorporation;

Indicate (YES or NO) whether the applicant is an Eligible Rockfish Harvester

Indicate (YES or NO) whether the applicant is opting-out of the Rockfish Pilot Program

Indicate (YES or NO) whether the applicant holds an LLP with a Catch History Allocation assigned to the catcher/processor sector

Block B -- Vessel information

Name, ADF&G vessel registration number, and USCG documentation number of the vessel

LLP license number(s) held by the applicant and used on that vessel.

Block C -- LLP Holdership documentation

Names of all persons, to the individual level, holding an ownership interest in the LLP license
 Percentage ownership each person and individual holds in the LLP license.

Block D -- Applicant certification

Signature of applicant and date

Printed name of applicant (or authorized representative); if representative, attach authorization

Application to Opt-out of Rockfish Fishery, Respondent	
Number of respondents	3
Total annual responses	3
Total annual time burden hours	6
Timer per response = 2 hr	
Total personnel cost to all applicants (6 x \$25)	\$150
Total miscellaneous cost	\$11
Postage cost (0.39 x 1 = 0.39)	
Photocopy cost (0.05 x 2 x 3 = 0.3)	
FAX cost (\$5 x 2 = 10)	

Application to Opt-out of Rockfish Fishery, Federal Government	
Total responses	3
Total burden hours	2
Time per response = 0.5 hr	
Total personnel cost (\$25 x 2)	\$50
Total miscellaneous cost	0

i. Application for Inter-Cooperative Transfer of CQ.

Once NMFS issues an annual catch amount to a cooperative it may be fished by members of the cooperative or transferred to another cooperative. However, a cooperative in the catcher vessel sector may not transfer an annual catch amount to a cooperative in the catcher/processor sector.

This transfer of an annual catch amount is only valid during the calendar year of the transfer. A cooperative may only transfer or receive by transfer an annual catch amount if the cooperative submits an application for inter-cooperative transfer to NMFS.

Application for Inter-Cooperative Transfer of CQ

Block A -- Identification of transferor

Name and NMFS Person ID of cooperative

Name of transferor designated representative

Permanent business mailing address (and temporary mailing address, if appropriate)

Business telephone number, fax number, and e-mail address (if available)

Block B -- Identification of transferee

Name and NMFS Person ID

Name of transferee designated representative

Permanent business mailing address (and temporary mailing address, if appropriate)

Business telephone number, fax number, and e-mail address (if available)

Block C -- Identification of Rockfish Cooperative member

Name and NMFS person ID

Amount of CQ applied

Block D -- CQ to be transferred

Identify the type and amount of Primary Species, Secondary Species, or Rockfish Halibut PSC to be transferred

Block E -- Certification of transferor.

Signature of transferor and date signed

Printed name of transferor (or authorized representative); if representative, attach authorization

Printed name and signature of eligible rockfish processor associated with cooperative and date signed

Block F -- Certification of transferee.

Signature of transferee and date signed

Printed name of transferee (or authorized representative); if representative, attach authorization
 Printed name and signature of eligible rockfish processor associated with cooperative and date signed

Application for Inter-Cooperative Transfer of CQ, Respondent	
Number of respondents	5
Total annual responses (3 x 5) 3 transfers per coop per season	15
Total annual time burden hours Time per response = 2 hr	30
Total personnel cost (30 x \$25)	\$750
Total miscellaneous cost Postage cost (0.39 x 5 = 1.95) Photocopy cost (0.05 x 2 x 15 = 1.5) FAX cost (\$5 x 10 = 50)	\$53

Application for Inter-Cooperative Transfer of CQ, Federal Government	
Total responses	15
Total burden hours Time per response = 0.5 hr	8
Total personnel cost (8 x 25)	\$200
Total miscellaneous cost	0

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information. As explained in the preceding paragraphs, the information gathered has utility. 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. Prior to dissemination, the information will be subjected to quality control measures and a 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.

Applications are “fillable” on the computer screen by participant at the NMFS Alaska Region Home Page at www.fakr.noaa.gov, then downloaded, printed, and faxed to NMFS. Future plans include interactive permit applications completed through the Internet.

4. Describe efforts to identify duplication.

None of the information collected as part of this information collection duplicates other collections. This information collection is part of a specialized and technical program that is not like any other.

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

The collection-of-information does not impose a significant impact on small entities.

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

The intent of this collection is to provide permits for a CGOA Rockfish Pilot Program. Without the specified permitting scheme described in this Supporting Statement, the program would be jeopardized. The consequences of not collecting this information would be that NMFS could not fulfill the intent of the law Section 802 of the Consolidated Appropriations Act of 2004

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

No inconsistencies occur in this collection.

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.

The NMFS Alaska Region will submit a final rule coincident with this submission.

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

No payment or gift will be provided under this program.

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.

This information collection requests the mandatory social security number or Tax ID number. The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.

All information collected is part of a system of records: NOAA #17, notice published March 3, 2005.

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.

NA.

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

Estimated total unique respondents, 1,142. Estimated total annual responses, 1,408 up from 1,369. Estimated total annual burden, 3,285 up from 3,267 hr. Estimated total annual personnel cost, \$82,063 up from \$81,600.

13. 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 #12 above).

Estimated annual total miscellaneous costs \$5,954, up from \$5,829.

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

Estimated total annual burden, 755 up from 746 hr. Estimated total annual personnel cost, \$20,763 up from \$20,538. Estimated total annual miscellaneous cost, \$0.

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

Due to comments received on the rockfish proposed rule, NMFS made the following changes to this collection.

- Removal of Application to transfer processor eligibility. Although processor eligibility transfers are likely to be necessary should Congress provide additional authority to NMFS to extend this Program, the Council did not specifically recommend provisions to allow processors to transfer their eligibility to another processor. NMFS has deleted the provision concerning the transfer of processor. This removes one response, two hours and \$1 in miscellaneous costs.
- Addition of a rockfish cooperative vessel check-in/check-out reports for vessels authorized to fish under a CQ permit. This adds 40 responses, 20 hours and \$112.00 in miscellaneous costs.

In addition, a recent DOC memo clarifying the collection of the social security number under the Debt Collection Improvement Act has caused a mandatory social security number and/or the tax ID number to be added to the quota permit application. In addition, in conformance with a pending memo from the NMFS Under Secretary, NMFS Alaska region will require that the date of birth (or date of incorporation) be requested on permit applications; this information is added to the limited access application and opt out application.

Correction of the current miscellaneous cost of \$5,829 to \$5,841, and a further adjustment of \$2 due to postage increase, added \$14.

These actions result in a net increase of 39 responses, 18 hours and \$125 in miscellaneous costs.

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

The information collected will not be published.

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.

In accordance with OMB requirements, the control number and the expiration date of OMB approval are shown on the forms.

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

No exceptions to the certification statement are requested.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.

Application to Participate in the Rockfish Pilot Program

U.S. Dept. of Commerce/
 NOAA National Marine Fisheries Service
 Restricted Access Management
 P.O. Box 21668
 Juneau, AK 99802-1668
 (800) 304-4846 toll free / 586-7202 in Juneau
 (907) 586-7354 fax

Each person who is eligible to participate in the Rockfish Pilot Program must submit this application to receive an assignment of catch history or halibut Prohibited Species Catch (PSC) history for any License Limitation Program (LLP) licenses held by that person or to be eligible to receive fish from the Rockfish Pilot Program.

Please indicate the type of *eligibility to participate* for which you are applying:

- Eligible Rockfish Harvester** (catcher-vessel or catcher-processor sectors). Applicants must complete Blocks A and B and sign in Block F. **Note: If you disagree** with the Rockfish Program Official Record Summary, you must also complete Block C.
- Eligible Rockfish Processor** (shoreside and stationary floating processors only). Applicants must complete Blocks A, B, and E and sign in Block F. **Note: If you disagree** with the Rockfish Program Official Record Summary, you must also complete Block D.

NOTE: In addition to this application, each year an Eligible Rockfish Harvester must submit an application for the Rockfish Cooperative Fishery, the Limited Access Rockfish Fishery, or Opt-out (catcher-processors only) of the Rockfish fishery.

This completed application must be received by NMFS no later than January 2, 2007.

BLOCK A -- APPLICANT INFORMATION

1. Applicant name	2. NMFS person ID (if applicable)	
	3. Tax ID number or social security number* (required)	
4. Permanent business mailing address		
5. Business telephone number	6. Business FAX number	7. e-mail address (if available)

*The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.

Note: The Applicant must be a U.S. citizen or U.S. corporation, partnership, or other business entity to obtain a catch history or halibut PSC history assignment.

8. Are you a U.S. citizen? YES NO If YES, enter Date of Birth _____

9. Are you a U.S. corporation, partnership, association or other business Entity? YES NO

If YES, enter Date of Incorporation _____

10. Is the applicant a successor-in-interest to a deceased individual or to a non-individual no longer in existence?
 YES NO

If YES, attach death certificate or evidence of dissolution to the application.

BLOCK B -- AGREEMENT WITH ROCKFISH PROGRAM OFFICIAL RECORD

I AGREE with the Rockfish Program Official Record Summary sent to me by NMFS. If you check this box, you are accepting the Rockfish Program Official Record.

If you are an eligible rockfish harvester, proceed to Block F, sign the application, and return the application to NMFS.
 If you are an eligible rockfish processor, complete Block E, proceed to Block F, sign the application, and return the application to NMFS.

I DO NOT AGREE with the Rockfish Program Official Record Summary sent to me by NMFS. I have indicated the areas of disagreement in Block C or D of this form or attached a separate page explaining my disagreement and providing evidence to support my claims.

I DID NOT RECEIVE a Rockfish Program Official Record Summary from NMFS. I believe that I am qualified as an eligible rockfish harvester or processor. I have indicated in Block C or Blocks D and E of this form or attached a separate page explaining the basis for my eligibility as an eligible rockfish harvester or processor.

BLOCK C – HARVESTER LEGAL ROCKFISH LANDINGS

If you are applying as an Eligible Rockfish Harvester and you **do not agree** with the Official Rockfish Program Record, enter the following information for the original qualifying vessel and other vessels used under authority of each LLP license.

LLP license number			
Name of original qualifying vessel (OQV)	ADF&G No.	USCG No.	Date Landings Made in 2000 and 2001
Other vessels used under authority of this LLP license			
Name of Vessel	ADF&G No.	USCG No.	Date Landings Made in 2000 and 2001
Name of Vessel	ADF&G No.	USCG No.	Date Landings Made in 2000 and 2001

Name of Vessel	ADF&G No.	USCG No.	Date Landings Made in 2000 and 2001
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LLP license number			
Name of original qualifying vessel (OQV)	ADF&G No.	USCG No.	Date Landings Made in 2000 and 2001

Other vessels used under authority of this LLP license			
Name of Vessel	ADF&G No.	USCG No.	Date Landings Made in 2000 and 2001
Name of Vessel	ADF&G No.	USCG No.	Date Landings Made in 2000 and 2001
Name of Vessel	ADF&G No.	USCG No.	Date Landings Made in 2000 and 2001

BLOCK D – LEGAL ROCKFISH LANDINGS IN CATCHER/PROCESSOR SECTOR

If you are claiming Legal Rockfish Landings in the Catcher/Processor Sector and you **do not agree** with the Official Rockfish Program Record, enter the following information for the catcher/processor on which legal rockfish landings were caught and processed.

LLP license number			
Vessel Name	ADF&G No.	USCG No.	

LLP license number			
Vessel Name	ADF&G No.	USCG No.	

BLOCK E -- PROCESSOR ELIGIBILITY

If you are applying as an Eligible Rockfish Processor, you must provide the following information to establish your eligibility:

1. Did the applicant receive at least 250 metric tons in round weight equivalent of aggregate legal rockfish landings of primary rockfish species each calendar year in any four of the five calendar years beginning 1996 through 2000 during the season dates for that primary rockfish species as established in Table 28 to part 679?	<input type="checkbox"/> YES <input type="checkbox"/> NO
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2. If YES, enter the following information for each processor where legal rockfish landings were received.

Facility Name	ADF&G Processor Code	Qualifying years or seasons	Community Name* In Which Primary Rockfish Species Were Received

*The community is either:
 o The city, if the community is incorporated as a city within the State of Alaska or
 o The borough, if the community is not a city incorporated within the State of Alaska, but the community is in a borough incorporated within the State of Alaska.

3. Enter the four calendar years from 1996 through 2000 that applicant wishes NMFS to use when determining an association with a Rockfish Cooperative.			
4. Attach a copy of the contract to the application that demonstrates that the legal processing history and rights to apply for and receive processor eligibility based on that legal processing history have been transferred or retained (if applicable).			

BLOCK F -- APPLICANT CERTIFICATION	
The applicant must sign and date the application certifying that all information is true, correct, and complete to the best of his/her knowledge and belief. If the application is completed by an authorized representative, attach authorization to application.	
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, the information presented here is true, correct, and complete.	
1. Signature of Applicant (or Authorized Representative)	2. Date Signed
3. Printed Name of Applicant (or Authorized Representative); if representative, attach authorization	

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form, please note the following: 1) Notwithstanding any other provision of 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; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

Instructions for
**Application to Participate
in the Rockfish Pilot Program**

This completed application must be received by NMFS no later than January 2, 2007.

NOTE: Participant must be a U.S. Citizen or U.S. Corporation, partnership or other business.

A person who wishes to participate in the Rockfish Program as an Eligible Rockfish Harvester or Eligible Rockfish Processor must submit this application to NMFS. Use this application to apply to receive an assignment of catch history or halibut PSC history for any LLPs held by the applicant or to be eligible to receive fish from the Rockfish Pilot Program.

Type or print legibly in ink; retain a copy of completed application for your records. Completed forms should be mailed or faxed to:

**NMFS Alaska Region
Restricted Access Management
P.O. Box 21668
Juneau, AK 99802-1668**

FAX: (907) 586-7354

If you need additional information, contact Restricted Access Management at **(800) 304-4846 (#2)** or **(907) 586-7202 (#2)**.

Please allow at least 10 working days for your application to be processed. Items will be sent by first class mail, unless you provide alternate instructions *and* include a prepaid mailer with appropriate postage or corporate account number for express delivery.

Please indicate which type of eligibility to participate for which you are applying:

- Eligible Rockfish Harvester (catcher-vessel or catcher-processor sectors). Complete Blocks A and B, sign in Block F. **Note:** If you disagree with the Rockfish Program Official Record Summary, you must also complete Block C.
- Eligible Rockfish Processor (shoreside and stationary floating processors only). Complete Blocks A, B, and E, sign in Block F. **Note:** If you disagree with the Rockfish Program Official Record Summary, you must also complete block D.

NOTE: The person who holds the processing history of a shoreside processor or stationary floating processor is the person who owns the shoreside processor or stationary floating processor at the time of Application to Participate in the Rockfish Pilot Program, unless that processing history has been transferred to another person by the express terms of a written contract that clearly and unambiguously provides that such processing history has been transferred.

If the applicant did not own one or more of the processing facilities through which claiming processor eligibility, attach a copy of that contract to the application.

BLOCK A – APPLICANT INFORMATION

Enter Applicant Name, NMFS ID (if known), Tax ID or Social Security Number* (SSN), Permanent Business Mailing Address, Business Telephone, Business Facsimile, Business e-mail (if available).

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.*

Indicate (YES or NO) if the applicant is a U.S. citizen; if YES, enter his or her date of birth;

Indicate (YES or NO) if the applicant is a U.S. corporation, partnership, association, or other business entity; if YES, enter the date of incorporation;

Indicate (YES or NO) if the applicant is a successor-in-interest to a deceased individual or to a non-individual no longer in existence, attach death certificate or evidence of dissolution to the application.

BLOCK B - AGREEMENT WITH ROCKFISH PROGRAM OFFICIAL RECORD

All Applicants must mark the box that applies to them:

◆ **Agree with the Rockfish Program Official Record Summary.** If you check this box, you are accepting the Rockfish Program Official Record. Proceed to Block F, sign the application and return the completed application to NMFS. **Note:** All applicants must complete Block E to become an Eligible Rockfish Processor.

◆ **Do not agree with the Rockfish Program Official Record Summary.** If you check this box, you disagree with the rockfish Program Official Records. Indicate areas of disagreement in Block C or D or attach a separate page explaining your disagreement and provide evidence to support your claims.

◆ **Did not receive a Rockfish Program Official Record Summary.** If you check this box, even though you did not receive an official record from NMFS, you believe that you are qualified as an eligible rockfish harvester or processor. Indicate your information in Block C or Blocks D and E or attach a separate page explaining the basis for your eligibility as an eligible rockfish harvester or processor.

BLOCK C – HARVESTER LEGAL ROCKFISH LANDINGS

If you are applying as an Eligible Rockfish Harvester and you **do not agree** with the Official Rockfish Program Record, enter the following information for each LLP license.

LLP license number

Original Qualifying Vessel (OOV)

Name of the OOV vessel that gave rise to the LLP license

Alaska Department of Fish and Game (ADF&G) vessel registration number

United States Coast Guard (USCG) documentation number

Dates landings made on vessel which gave rise to that LLP license

Other Vessels Used under the Authority of this LLP license

Name(s) of vessel

ADF&G vessel registration numbers

USCG documentation numbers

Dates landings made for each vessel

BLOCK D – LEGAL ROCKFISH LANDINGS IN CATCHER/PROCESSOR SECTOR

If you are applying as an Eligible Rockfish Processor in the Catcher/Processor Sector, and you **do not agree** with the Official Rockfish Program Record, enter the following information for each LLP license.

LLP license number

Vessel(s) name, ADF&G vessel registration number, and USCG documentation number

BLOCK E -- PROCESSOR ELIGIBILITY

If you are applying as an Eligible Rockfish Processor, you must provide the following information to establish your eligibility:

1. Indicate (YES or NO) whether applicant received at least 250 metric tons in round weight equivalent of aggregate legal rockfish landings of primary rockfish species each calendar year in any four of the five calendar years beginning 1996 through 2000 during the season dates for that primary rockfish species as established in Table 28 to part 679.
2. If YES, enter the following information for each processor where legal rockfish landings were received.
 - Facility Name
 - ADF&G Processor Code
 - Qualifying years or seasons
 - Community Name* In Which Primary Rockfish Species Were Received

**The community is either the city if the community is incorporated as a city within the State of Alaska; or the borough if the community is not in a city incorporated within the State of Alaska and the city is in a borough as incorporated within the State of Alaska*

3. Enter the four calendar years from 1996 through 2000 that applicant wishes NMFS to use when determining an association with a Rockfish Cooperative.
4. Attach a copy of the contract to the application that demonstrates that the legal processing history and rights to apply for and receive processor eligibility based on that legal processing history have been transferred or retained (if applicable).

BLOCK F – APPLICANT CERTIFICATION

The applicant must print name, sign, and date the application certifying that all information is true, correct, and complete to the best of his/her knowledge and belief. If the application is completed by an authorized representative, then authorization must accompany the application.

<h2 style="margin: 0;">Application for Rockfish Cooperative Fishing Quota (CQ)</h2>	U.S. Dept. of Commerce/ NOAA National Marine Fisheries Service Restricted Access Management P.O. Box 21668 Juneau, AK 99802-1668 (800) 304-4846 toll free / 586-7202 in Juneau (907) 586-7354 fax
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A Rockfish Cooperative that submits a complete application that is approved by NMFS will receive a CQ permit that establishes an annual amount of primary rockfish species, secondary species, and rockfish halibut PSC that is based on the collective rockfish QS of the LLPs assigned to the rockfish cooperative by its members. A CQ permit will list the amount of CQ, by fishery, held by the Rockfish Cooperative, the members of the Rockfish Cooperative and LLP licenses assigned to that rockfish cooperative, and the vessels which are authorized to harvest fish under that CQ permit.

This application must be submitted annually by each Rockfish Cooperative and received by NMFS no later than March 1.

<i>BLOCK A – ROCKFISH COOPERATIVE IDENTIFICATION</i>			
1. Rockfish Cooperative's legal name		2. Type of business entity under which the Rockfish Cooperative is organized	
3. Date of Incorporation	4. Tax ID number *	5. State in which the Rockfish Cooperative is legally registered as a business entity	
6. Printed name of authorized representative		7. Permanent business address	
8. Business telephone number	9. Business FAX number	10. E-mail address (if available)	
11. Signature of representative and date signed.			

*The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.

<i>BLOCK B – MEMBERS OF THE ROCKFISH COOPERATIVE</i>	
<i>HARVESTER IDENTIFICATION</i>	
1. Full name	2. NMFS Person ID
	3. LLP number(s)
	4. Tax ID or SSN*
5. Vessel Name (on which CQ issued to rockfish cooperative will be used)	6. ADF&G Vessel No.
	7. USCG No.
<i>LLP HOLDERSHIP DOCUMENTATION</i>	

Enter the names of all persons, to the individual level, holding an ownership interest in the LLP license(s) assigned to the rockfish cooperative and the percentage ownership each person and individual holds in the LLP license(s).	
Name	% Ownership in LLP License

BLOCK C -- PROCESSOR ASSOCIATES OF THE ROCKFISH COOPERATIVE

IDENTIFICATION

1. Full name	2. NMFS Person ID
	3. Tax ID*

Processing Facility

4. Name	5. ADF&G processor code
	6. Federal processor permit No.

Stationary Floating Processor

7. Name	8. ADF&G processor code
	9. Federal processor permit No.
	10. USCG number

PROCESSOR OWNERSHIP INFORMATION

Provide the names of all persons, to the individual level, holding an ownership interest in the processor and the percentage ownership each person and individual holds in the processor.

Name	% Ownership in Processor

ATTACHMENTS

For the cooperative application to be considered complete, the following documents must be attached to the application:

- o A copy of the business license issued by the state in which the Rockfish Cooperative is registered as a business entity;
- o A copy of the articles of incorporation or partnership agreement of the Rockfish Cooperative;
- o A copy of the Rockfish Cooperative agreement signed by the members of the Rockfish Cooperative (if different from the articles of incorporation or partnership agreement of the Rockfish Cooperative).
- o Any article of incorporation or agreement submitted by the Rockfish Cooperative must include terms that specify that
 - eligible rockfish processor affiliated harvesters do not participate in price setting negotiations except as permitted by general antitrust law and
 - the Rockfish Cooperative has established a monitoring program sufficient to ensure compliance with the Rockfish Program.

BLOCK D - CERTIFICATION OF APPLICANT

Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, the information is true, correct, and complete.

1. Signature of Applicant (or Authorized Representative)

2. Date Signed

3. Printed Name of Applicant (or Authorized Representative); if representative, attach authorization

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form, please note the following: 1) Notwithstanding any other provision of 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; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

Instructions for
Application for Rockfish CQ

A Rockfish Cooperative that submits a complete application and that is approved by NMFS will receive a Rockfish Cooperative allocation that establishes an annual catch limit of primary and secondary species based on the collective catch history holdings of the LLPs held and contributed by the members of the Rockfish Cooperative. A Rockfish Cooperative allocation will list the amount of allocation, by fishery, held by the Rockfish Cooperative and identify the members of the Rockfish Cooperative.

Type or print legibly in ink; retain a copy of completed application for your records. Completed forms should be mailed or faxed to:

**NMFS Alaska Region
Restricted Access Management
P.O. Box 21668
Juneau, AK 99802-1668**

FAX: (907) 586-7354

If you need additional information, contact Restricted Access Management at

(800) 304-4846 (#2) or (907) 586-7202 (#2).

Please allow at least 10 working days for your application to be processed. Items will be sent by first class mail, unless you provide alternate instructions *and* include a prepaid mailer with appropriate postage or corporate account number for express delivery.

Submit a completed application for a Rockfish Cooperative allocation, including all amendments, such that they are received by NMFS no later than March 1 to receive an allocation that may be used during the calendar year.

BLOCK A – ROCKFISH COOPERATIVE IDENTIFICATION

Legal name

Type of business entity under which organized

State in which legally registered as a business entity

Tax ID number* (required)

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government*

Date of Incorporation

Printed name and signature of designated representative and date signed

Permanent business address, telephone number, facsimile number, and e-mail address (if available)

BLOCK B – MEMBERS OF ROCKFISH COOPERATIVE

Harvester identification

Full name and NMFS Person ID

LLP license number(s)

Tax ID number or social security number*

Name, Alaska Department of Fish and Game (ADF&G) vessel registration number, and

United States Coast Guard (USCG) documentation number of vessel(s)

LLP Holdership Documentation

Names of all persons, to the individual level, holding an ownership interest in the License Limitation Program (LLP) license(s) assigned to the rockfish cooperative
Percentage ownership each person and individual holds in the LLP license(s).

Processor associates of the rockfish cooperative

Full name and NMFS Person ID

Tax ID number*

Shoreside facility

Name, ADF&G processor code, and Federal processor permit (FPP) number

Stationary floating processor

Name, ADF&G processor code, FPP number, and USCG documentation number

Processor ownership documentation

Names of all persons, to the individual level, holding an ownership interest in the processor

Percentage ownership each person and individual holds in the processor.

BLOCK C – ATTACHMENTS

For the cooperative application to be considered complete, the following documents must be attached to the application.

A copy of the business license issued by the state in which the Cooperative is registered as a business entity

A copy of the articles of incorporation or partnership agreement of the Rockfish Cooperative

A copy of the agreement signed by the members of the Rockfish Cooperative (if different from the articles of incorporation or partnership agreement)

Any article of incorporation or agreement submitted by the Rockfish Cooperative must include terms that specify that:

The eligible processor does not participate in price setting negotiations except to the extent permitted by general antitrust law; and

The Rockfish Cooperative has established a monitoring program sufficient to ensure compliance with the Rockfish Pilot Program.

BLOCK D -- APPLICANT CERTIFICATION

The applicant must sign and date the application certifying that all information is true, correct, and complete to the best of his/her knowledge and belief. If the application is completed by an authorized representative, then explicit authorization signed by the applicant must accompany the application.

<p>Application for Rockfish Limited Access Fishery</p>	<p>U.S. Dept. of Commerce/ NOAA National Marine Fisheries Service Restricted Access Management P.O. Box 21668 Juneau, AK 99802-1668 (800) 304-4846 toll free / 586-7202 in Juneau (907) 586-7354 fax</p>
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This application must be submitted annually and received by NMFS no later than 1700 hours A.l.t. on **March 1** of the year for which the applicant wishes to participate in a Rockfish limited access fishery, or if sent by U.S. mail, the application must be postmarked by that time.

BLOCK A -- APPLICANT INFORMATION		
1. Applicant name		2. NMFS person ID
		3. Tax ID or social security number* (required)
4. Permanent business mailing address		
5. Business telephone number	6. Business FAX number	7. e-mail address (if available)
8. Is applicant a U.S. citizen? <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, enter date of birth _____		
9. Is the applicant a U.S. corporation, partnership, association, or other business entity? <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, enter date of incorporation: _____		
10. Is applicant an Eligible Rockfish Harvester? <input type="checkbox"/> YES <input type="checkbox"/> NO		
11. Is applicant participating in the Rockfish Limited Access Fishery? <input type="checkbox"/> YES <input type="checkbox"/> NO		

*The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.

BLOCK B -- VESSEL IDENTIFICATION			
Vessel Name	ADF&G No.	USCG No.	LLP License No.

BLOCK C -- LLP HOLDERSHIP DOCUMENTATION

Enter the names of all persons, to the individual person level, holding an ownership interest in the LLP license and the percentage ownership each person and individual holds in the LLP license assigned to the Rockfish Limited Access Fishery.	
Name	% Ownership in LLP License

BLOCK D -- APPLICANT CERTIFICATION	
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, the information is true, correct, and complete.	
1. Signature of Applicant (or Authorized Representative)	2. Date
3. Printed Name of Applicant (or Authorized Representative); if representative, attach authorization	

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form, please note the following: 1) Notwithstanding any other provision of 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; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

**Instructions for Application for
Limited Access Rockfish Fishery**

This application must be submitted annually and received by NMFS no later than 1700 hours A.l.t. on **March 1** of the year for which the applicant wishes to participate in a Rockfish limited access fishery, or if sent by U.S. mail, the application must be postmarked by that time.

Eligible Rockfish Harvester

A person is eligible to participate in the Rockfish Program as an Eligible Rockfish Harvester if that person:

 Holds a permanent fully transferable LLP license endorsed for Central Gulf of Alaska groundfish with a Legal Rockfish Landing of any Primary Rockfish Species attributed to that LLP license at the time of Application to Participate in the Rockfish Program; and

 Submits a timely Application to Participate in the Rockfish Program that is approved by NMFS;

Eligible Rockfish Processor

A person is eligible to participate in the Rockfish Program as an Eligible Rockfish Processor if that person:

 Holds the processing history of a shoreside processor or stationary floating processor that received at least 250 metric tons in round weight equivalent of aggregate Legal Rockfish Landings of Primary Rockfish Species each calendar year in any four of the five calendar years beginning 1996 through 2000 during the season dates for that Primary Rockfish Species as established in Table 28 to part 679;

 Submits a timely Application to Participate in the Rockfish Program that is approved by NMFS; and

 That person or his successor-in-interest exists at the time of Application to Participate in the Rockfish Program.

The Rockfish Program Fishery – Limited Access Fishery is authorized from 1200 hours, A.l.t., July 1 through 1200 hours, A.l.t., November 15. The fishery closes once the allocation is met or exceeded. If the annual catch amount assigned to the fishery is small, and forecast harvest rate is high, NMFS may not open a limited access fishery if it is likely that participants in the limited access fishery would exceed their allocation.

Type or print legibly in ink; retain a copy of completed application for your records. Completed forms should be mailed or faxed to:

**NMFS Alaska Region
Restricted Access Management
P.O. Box 21668
Juneau, AK 99802-1668**

FAX: (907) 586-7354

If you need additional information, contact Restricted Access Management at

(800) 304-4846 (#2) or (907) 586-7202 (#2).

Please allow at least 10 working days for your application to be processed. Items will be sent by first class mail, unless you provide alternate instructions *and* include a prepaid mailer with appropriate postage or corporate account number for express delivery.

BLOCK A. APPLICANT INFORMATION

Applicant's name and NMFS person ID

Tax ID or social security number* (required)

Permanent business mailing address, business telephone number, fax number, and e-mail address (if available);

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.*

Indicate (YES or NO) whether applicant is a U.S. citizen; if YES, enter date of birth.

Indicate (YES or NO) whether applicant is a U.S. corporation, partnership, association, or other business entity; if YES, enter date of incorporation.

Indicate (YES or NO) whether the applicant is an Eligible Rockfish Harvester;

Indicate (YES or NO) whether the applicant is participating in the Rockfish Limited Access Fishery;

BLOCK B. VESSEL INFORMATION

Name, Alaska Department of fish and Game (ADF&G) vessel registration number, and United States Coast Guard (USCG) documentation number of the vessel

License Limitation Program (LLP) license number(s) held by the applicant and used on that vessel.

BLOCK C. LLP HOLDERSHIP

Names of all persons, to the individual level, holding an ownership interest in the LLP

Percentage ownership each person and individual holds in the LLP.

BLOCK D. APPLICANT SIGNATURE AND DATE

Signature of applicant and date signed

Printed name of applicant (or authorized representative); if representative, attach authorization

<p>Application for Entry Level Rockfish Fishery</p>	<p>U.S. Dept. of Commerce/ NOAA National Marine Fisheries Service Restricted Access Management P.O. Box 21668 Juneau, AK 99802-1668 (800) 304-4846 toll free / 586-7202 in Juneau (907) 586-7354 fax</p>
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This application must be submitted annually and received by NMFS no later than **March 1** of the year for which the applicant wishes to participate.

BLOCK A -- APPLICANT INFORMATION		
1. Applicant name	2. NMFS person ID	
	3. Tax ID or social security No.* (required)	
4. Permanent business mailing address		
5. Business telephone number	6. Business FAX number	7. E-mail address (if available)
8. Are you a U.S. citizen? <input type="checkbox"/> YES <input type="checkbox"/> NO. If YES, enter Date of Birth _____		
9. Are you a U.S. corporation, partnership, association, or other business entity? <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, enter date of incorporation: _____		

*The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.

BLOCK B – VESSEL INFORMATION			
Vessel Name	ADF&G No.	USCG No.	LLP License No.

BLOCK C – ATTACHMENTS
<p>Harvesters who are applying to participate in the Entry Level Fishery must attach a statement from an Eligible Entry Level Processor that affirms that the processor has a market for any rockfish delivered by that harvester in the Entry-Level Fishery.</p>

BLOCK D -- APPLICANT CERTIFICATION

Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, the information is true, correct, and complete.

1. Signature of Applicant (or Authorized Representative)

2. Date

3. Printed Name of Applicant (or Authorized Representative); if representative, attach authorization)

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

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Instructions Application for Entry Level Rockfish Fishery
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A person is eligible to participate in the Rockfish Program as an Eligible Entry-Level Fishery Harvester if that person:

- ◆ Holds a permanent fully transferable LLP license endorsed for Central Gulf of Alaska groundfish at the time of Application for the Entry-Level Fishery;
- ◆ Submits a timely Application for the Entry-Level Fishery that is approved by NMFS; and
- ◆ Is not an Eligible Rockfish Harvester or Processor.

An entry level fishery is available for all persons who are not eligible rockfish harvesters or processors. This fishery is intended to provide opportunities for harvesters and processors who had not traditionally participated in the Central Gulf of Alaska rockfish fisheries.

An Eligible Entry Level Harvester who wishes to participate in the Entry-Level Fishery must submit an Application for the Entry-Level Fishery. This application must be submitted annually and received by NMFS no later than 1700 hours A.l.t., on **March 1** of the year for which the applicant wishes to participate in an entry level rockfish fishery, or if sent by U.S. mail, the application must be postmarked by that time.

Type or print legibly in ink; retain a copy of completed application for your records. Completed forms should be mailed or faxed to:

NMFS Alaska Region
Restricted Access Management
P.O. Box 21668
Juneau, AK 99802-1668

FAX: (907) 586-7354

If you need additional information, contact Restricted Access Management at

(800) 304-4846 (#2) or (907) 586-7202 (#2).

Please allow at least 10 working days for your application to be processed. Items will be sent by first class mail, unless you provide alternate instructions *and* include a prepaid mailer with appropriate postage or corporate account number for express delivery.

BLOCK A - APPLICANT INFORMATION

Name and NMFS person ID

Tax ID or social security number* (required)

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.*

Permanent business mailing address

Business telephone number, fax number, and e-mail address (if available)

Indicate (YES or NO) whether applicant is a U.S. citizen; if YES, enter date of birth

Indicate (YES or NO) whether applicant is a U.S. corporation, partnership, association, or

other business entity; If YES, enter the date of incorporation.

BLOCK B - VESSEL INFORMATION

List vessel information applicant intends to deploy

Name, Alaska Department of Fish and Game (ADF&G) vessel registration number, and

United States Coast Guard (USCG) documentation number of the vessel

License Limitation Program (LLP) license number(s) held by the applicant and used on that vessel.

Harvesters who are applying to participate in the Entry-Level Fishery must attach a statement from an Eligible Entry Level Processor that affirms that processor has a market for any rockfish delivered by that harvester in the Entry-Level Fishery

BLOCK C - APPLICANT SIGNATURE AND DATE

Signature of applicant and date signed

Printed name of applicant (or authorized representative); if representative, attach authorization

<h2>Application to Opt Out of Rockfish Fishery</h2>	U.S. Dept. of Commerce/ NOAA National Marine Fisheries Service Restricted Access Management P.O. Box 21668 Juneau, AK 99802-1668 (800) 304-4846 toll free / 586-7202 in Juneau (907) 586-7354 fax
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This application must be submitted annually and received by NMFS no later than 1700 hours A.l.t. on **March 1** of the year for which the applicant wishes to opt-out of a rockfish fishery, or if sent by U.S. mail, the application must be postmarked by that time.

BLOCK A -- APPLICANT INFORMATION		
1. Applicant name		2. NMFS person ID
		3. Tax ID or social security number* (required)
4. Permanent business mailing address		
5. Business telephone number	6. Business FAX number	7. e-mail address (if available)
8. Is the applicant a U.S. citizen? <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, enter date of birth _____		
9. Is the applicant a U.S. corporation, partnership, association, or other business entity? <input type="checkbox"/> YES <input type="checkbox"/> NO If YES, enter date of incorporation: _____		
10. Is the applicant an Eligible Rockfish Harvester? <input type="checkbox"/> YES <input type="checkbox"/> NO		
11. Is the applicant opting-out of the Rockfish Pilot Program? <input type="checkbox"/> YES <input type="checkbox"/> NO		
12. Does the applicant hold an LLP license with Rockfish QS assigned to the catcher/processor sector? <input type="checkbox"/> YES <input type="checkbox"/> NO		

*The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government.

BLOCK B -- VESSEL INFORMATION	
1. Name of vessel	2. ADF&G No.
	3. USCG No.
	4. LLP license number(s)

BLOCK C -- LLP HOLDERSHIP DOCUMENTATION	
Enter the names of all persons, to the individual level, holding an ownership interest in the LLP license and the percentage ownership each person and individual holds in the LLP license.	
Name	% Ownership in LLP License

BLOCK D -- APPLICANT CERTIFICATION	
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, the information is true, correct, and complete.	
1. Signature of Applicant (or Authorized Representative)	2. Date
3. Printed Name of Applicant (or Authorized Representative); if representative, attach authorization	

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

ADDITIONAL INFORMATION

Before completing this form, please note the following: 1) Notwithstanding any other provision of 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; 2) This information is mandatory and is required to manage commercial fishing efforts under 50 CFR part 679 and under section 402(a) of the Magnuson-Stevens Act (16 U.S.C. 1801, *et seq.*); 3) Responses to this information request are confidential under section 402(b) of the Magnuson-Stevens Act. They are also confidential under NOAA Administrative Order 216-100, which sets forth procedures to protect confidentiality of fishery statistics.

Instructions
Application to Opt Out of Rockfish Fishery

An Eligible Rockfish Harvester who wishes to Opt-out of the Rockfish Program for a calendar year with an License Limitation Program (LLP) license assigned a Catch History Allocation in the Catcher/Processor Sector must submit an Application to Opt-out. This application must be submitted annually and received by NMFS no later than 1700 hours A.I.t. on **March 1** of the year for which the applicant wishes to opt-out of a rockfish fishery, or if sent by U.S. mail, the application must be postmarked by that time.

Type or print legibly in ink; retain a copy of completed application for your records. Completed forms should be mailed or faxed to:

**NMFS Alaska Region
Restricted Access Management
P.O. Box 21668
Juneau, AK 99802-1668**

FAX: (907) 586-7354

If you need additional information, contact Restricted Access Management at **(800) 304-4846 (#2)** or **(907) 586-7202 (#2)**.

Please allow at least 10 working days for your application to be processed. Items will be sent by first class mail, unless you provide alternate instructions *and* include a prepaid mailer with appropriate postage or corporate account number for express delivery.

BLOCK A. APPLICANT INFORMATION

Name and NMFS person ID
Tax ID or social security number* (required)

**The Debt Collection Improvement Act, in Section 7701 of title 31, United States Code requires collection of this information from each person doing business with a federal agency. This information is used for purposes of collecting and reporting any delinquent amounts arising out of such person's relationship with the government*

Permanent business mailing address
Business telephone number, fax number, and e-mail address (if available).
Indicate (YES or NO) whether applicant is a U.S. citizen; if YES, provide date of birth.
Indicate (YES or NO) whether applicant is a U.S. corporation; if YES, provide date of incorporation
Indicate (YES or NO) whether the applicant is an Eligible Rockfish Harvester.
Indicate (YES or NO) whether the applicant is opting-out of the Rockfish Pilot Program.
Indicate (YES or NO) whether the applicant holds an LLP license with Rockfish QS assigned to the catcher/processor sector.

BLOCK B. VESSEL INFORMATION

Name, Alaska Department of Fish and Game (ADF&G) vessel registration number, and United States Coast Guard (USCG) documentation number of the vessel
LLP license number(s) held by the applicant and used on that vessel.

BLOCK C. LLP HOLDERSHIP DOCUMENTATION

Names of all persons, to the individual level, holding an ownership interest in the LLP license

Percentage ownership each person and individual holds in the LLP license.

BLOCK D. APPLICANT CERTIFICATION

Signature of applicant (or authorized representative) and date signed

Printed name of applicant (or authorized representative); if representative, attach authorization

**Application for
 Inter-Cooperative Transfer of CQ
 Rockfish Fishery**

U.S. Dept. of Commerce/
 NOAA National Marine Fisheries Service
 Restricted Access Management
 P.O. Box 21668
 Juneau, AK 99802-1668
 (800) 304-4846 toll free / 586-7202 in Juneau
 (907) 586-7354 fax

BLOCK A -- IDENTIFICATION OF TRANSFEROR

Applicant must be a U.S. corporation, partnership, association, or other business entity.

1. Name of Rockfish Cooperative		2. NMFS person ID
3. Name of authorized representative		
4. Permanent business mailing address		5. Temporary business mailing address (if appropriate)
6. Business telephone number	7. Business FAX number	8. E-mail address (if available)

BLOCK B -- IDENTIFICATION OF TRANSFEREE

1. Name of Transferee (Rockfish Cooperative)		2. NMFS person ID
3. Name of authorized representative		
4. Permanent business mailing address		5. Temporary business mailing address (if appropriate)
6. Business telephone number	7. Business FAX number	8. E-mail address (if available)

BLOCK C -- IDENTIFICATION OF ROCKFISH COOPERATIVE MEMBER (to whose use cap the Rockfish Cooperative CQ will be applied and the amount of CQ applied to each member for purposes of applying use caps established under the Rockfish Program.)		
1. Name	2. NMFS person ID	Amount of CQ Applied

BLOCK D -- CQ TO BE TRANSFERRED		
Identify the type and amount of Primary Species, Secondary Species, or Rockfish Halibut PSC CQ to be transferred.		
Type	Amount (lb or mt, indicate which)	Species to be Transferred

BLOCK E -- CERTIFICATION OF TRANSFEROR	
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, the information is true, correct, and complete.	
1. Signature of Applicant (or Authorized Representative)	2. Date
3. Printed Name of Applicant (or Authorized Representative); if representative, attach authorization	
4. Signature of Eligible Rockfish Processor (associated with Cooperative)	5. Date
6. Printed Name of Eligible Rockfish Processor	

BLOCK F -- CERTIFICATION OF TRANSFEREE	
Under penalties of perjury, I declare that I have examined this application, and to the best of my knowledge and belief, the information is true, correct, and complete.	
1. Signature of Applicant (or Authorized Representative)	2. Date
3. Printed Name of Applicant (or Authorized Representative); if representative, attach authorization	
4. Signature of Eligible Rockfish Processor (associated with Cooperative)	5. Date
6. Printed name of Eligible Rockfish Processor	

Instructions
Application for Inter-Cooperative Transfer
Rockfish Fishery

A Rockfish Cooperative may transfer all or part of its CQ to another Rockfish Cooperative. This transfer requires the submission of an Application for Inter-Cooperative Transfer to NMFS. Once NMFS issues an annual catch amount to a cooperative, it may be fished by members of the cooperative or transferred to another cooperative. However, a cooperative in the catcher vessel sector may not transfer an annual catch amount to a cooperative in the catcher/processor sector.

This transfer of an annual catch amount is only valid during the calendar year of the transfer. A cooperative may only transfer or receive by transfer an annual catch amount if the cooperative:

- ◆ Notifies NMFS. A transfer is not effective until NMFS has been notified and NMFS has sent confirmation to the transferor and the transferee.
- ◆ Identifies the amount and type or annual catch amount transferred and the cooperative and cooperative member to which that annual catch amount is transferred. An annual catch amount received by a cooperative has to be attributed to a member of that cooperative to apply the use caps.
- ◆ Ensures that any transfer does not cause the receiving cooperative to exceed its use cap limitations.

Type or print legibly in ink; retain a copy of completed application for your records. Completed forms should be mailed or faxed to:

NMFS Alaska Region
Restricted Access Management
P.O. Box 21668
Juneau, AK 99802-1668

FAX: (907) 586-7354

If you need additional information, contact Restricted Access Management at **(800) 304-4846 (#2)** or **(907) 586-7202 (#2)**.

Please allow at least 10 working days for your application to be processed. Items will be sent by first class mail, unless you provide alternate instructions *and* include a prepaid mailer with appropriate postage or corporate account number for express delivery.

A complete transfer of catch history or halibut PSC allocation issued to a Rockfish Cooperative requires that the following information be provided to NMFS:

BLOCK A -- IDENTIFICATION OF TRANSFEROR (BUYER).

- Name and NMFS Person ID
- Name of designated representative
- Permanent business mailing address (and temporary mailing address, if appropriate)
- Business telephone number, fax number, and e-mail address (if available)

BLOCK B -- IDENTIFICATION OF TRANSFEREE (SELLER)

Name and NMFS Person ID
Name of designated representative
Permanent business mailing address (and temporary mailing address, if appropriate)
Business telephone number, fax number, and e-mail address (if available)

BLOCK C -- IDENTIFICATION OF ROCKFISH COOPERATIVE MEMBER.

Name and NMFS person ID of the member to whose use cap the Rockfish Cooperative
CQ will be applied.
Amount of CQ applied

BLOCK D – CQ TO BE TRANSFERRED

Identify the type and amount (lb or mt, indicate which) of primary species, secondary species,
or rockfish halibut PSC CQ to be transferred.

BLOCK E -- CERTIFICATION OF TRANSFEROR

Signature and printed name of transferor and date signed; if representative, attach authorization
Signature and printed name of Eligible Rockfish Processor (associated with Cooperative) and
date signed

BLOCK F - CERTIFICATION OF TRANSFEREE

Signature and printed name of transferee and date signed; if representative, attach authorization
Signature and printed name of Eligible Rockfish Processor (associated with Cooperative) and
date signed

PUBLIC REPORTING BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing the instructions, searching the existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to Assistant Regional Administrator, Sustainable Fisheries Division, NOAA National Marine Fisheries Service, P.O. Box 21668, Juneau, AK 99802-1668.

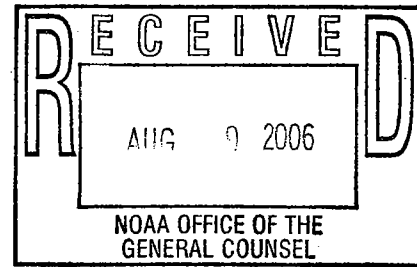
ADDITIONAL INFORMATION

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UNITED STATES DEPARTMENT OF COMMERCE
Office of the General Counsel
Washington, D.C. 20230

AUG 04 2006



MEMORANDUM FOR: William T. Hogarth
Director, NOAA Fisheries

FROM: Barbara S. Fredericks *BSF*
Assistant General Counsel
For Administration

SUBJECT: Collection and Use of Tax Identification Numbers
On Federal Fishery Permit Applications

The National Marine Fisheries Service (NMFS) Office of Science and Technology has asked about restrictions on the collection and use of tax identification numbers (TINs) on Federal fishery permit applications. Specifically, NMFS asked: (1) whether there is authority for the National Oceanic and Atmospheric Administration (NOAA) to require an applicant for a Federal fishery permit to include a commercial TIN or social security number on the permit application form; (2) whether the Privacy Act (PA) (5 U.S.C. § 552a) applies to the collection of social security numbers on permit applications; (3) whether NOAA has the authority to disclose the collected social security numbers to Federal, State, and Marine Fisheries Commission employees, and; (4) whether an applicant would have a PA cause of action for improper collection or disclosure of his or her social security number.

NOAA has the authority to require applicants for Federal fishery permits to provide TINs (commercial numbers or social security numbers) pursuant to the Debt Collection Improvement Act of 1996 (Public Law 104-134) (Debt Collection Act). The PA does not apply to the collection of commercial TINs, but it does apply to the collection and disclosure of social security numbers; under the PA, disclosure can only be made for a purpose compatible with the purpose for which the information was collected. Accordingly, since the authority for collection of social security numbers on permits is the Debt Collection Act, disclosure of the social security numbers collected on fishery permits can be made to Federal, State, and Marine Fisheries Commission employees only for debt collection purposes. In addition, a permit applicant would have a PA cause of action for improper collection or disclosure of his or her social security number.

BACKGROUND

It is our understanding that NMFS would like to use social security numbers to verify that individuals doing business with NMFS do not owe a debt to the Federal Government, to serve as identification numbers for tracking transfers of individual fishing quotas/individual transferable quotas to facilitate fisheries management, to make sure that one individual is not issued multiple

permits, and to ascertain that all applicants are U.S. citizens in order to assure compliance with regulatory requirements.

NOAA currently collects TINs (both commercial numbers and social security numbers) on permit applications, with the approval of the Office of Management and Budget (OMB). Copies of applications provided to us by NOAA counsel include OMB clearance numbers and both PA and Paperwork Reduction Act (PRA) (44 U.S.C. §§ 3501 *et seq*)¹ statements, which cite the Debt Collection Act as the authority for the collection of TINs (including social security numbers). Although the PA statement addresses the collection of social security numbers, there is not a NOAA PA system of records that includes all of the fishery permit applications collected and maintained by NOAA.

DISCUSSION

Pursuant to the Privacy Act, NOAA cannot require that fishery permit applicants provide their social security numbers on permit applications without statutory authorization. The Debt Collection Act provides that authorization; it requires collection of TINs (including social security numbers) from applicants for Federal permits or licenses for the purpose of collecting and reporting on any delinquent amounts arising out of the applicants' relationship with the Government. 31 U.S.C. § 7701. Therefore, NOAA may require collection of social security numbers, but only to determine whether applicants are in debt to the Government.²

Once you have collected the applications with social security numbers, they must be maintained in a PA system of records and they are subject to all of the requirements of the PA. The individual who is asked to submit his social security number must be informed, on the information collection form or on a separate form retained by the individual: 1) the authority for the collection, 2) the principal purpose(s) for which the information is intended to be used, 3) the routine uses (which must be compatible with the purpose for which the information was collected

¹ The PRA requires OMB clearance of the collection of identical information from ten or more (non-Federal) people. Note that the definition of "people" includes commercial and other entities.

² Although the collection of social security numbers from permit applicants cannot be required for uses beyond that included in the Debt Collection Act, applicants can be asked to provide their social security numbers voluntarily for other uses. However, it is unlawful to deny any individual any right, benefit, or privilege provided by law because of such individual's refusal to voluntarily disclose his social security number. Accordingly, an individual's refusal to voluntarily provide a social security number would not be a basis for denying a permit. As we understand the needs of the program, a universal identification system is necessary to accomplish administrative tracking goals. Less than 100% compliance with a voluntary collection would frustrate those goals.

and must be published in the PA system of records, 4) what uses may be made of the information, and 5) the effects, if any, of not providing all or part of the requested information. 5 U.S.C. § 552a(e)(3). The PA statement on the permit applications we have reviewed cites the Debt Collection Act as the authority for collection. However, although there is a PA statement on the applications, NOAA does not have a PA system of records that encompasses all the permits and permit applications. Accordingly, NOAA must amend an existing PA system of records or establish a new one to include all the fishery permits and applications at issue. This should be done in coordination with the NOAA PA (and Freedom of Information Act) Officer, Jean Carter-Johnson.

Although NOAA has the authority to require collection of the social security numbers, the PA restricts dissemination to Federal, State and Marine Fisheries Commission employees for debt collection purposes. Disclosure of social security numbers (but not commercial TINs) is subject to the PA, which prohibits disclosure of information without the prior written consent of the individual, subject to twelve PA exceptions. Any disclosure of social security numbers collected pursuant to the Debt Collection Act must be compatible with that Act. Accordingly, any disclosure to Federal, State, and Marine Fisheries Commission employees must be consistent with the purposes of collecting and reporting on delinquent accounts.³

Finally, under the PA, permit applicants can sue NOAA if information is disclosed to those not authorized to receive the information pursuant to the PA (e.g., Federal, State, and Marine Fisheries Commission employees). If an agency's noncompliance with the PA adversely affects an individual, the individual may bring a civil action. 5 U.S.C. § 552a(g)(1)(D). An adverse effect can include monetary damages or such harm as mental distress, embarrassment or emotional trauma. See Doe v. Chao, 306 F. 3d 170 (4th Cir. 2002), aff'd 124 S. Ct. 1204 (2004). In addition, there are criminal penalties applicable to agency employees who, knowing that disclosure of specific PA information is prohibited, willfully disclose the information to anyone not entitled to receive it. 5 U.S.C. § 552a(i)(1).

Therefore, disclosure of the social security numbers cannot be made to Federal, State, and Marine Fisheries Commission employees for identification tracking purposes, so alternatives will have to be found.

If you have any questions about this issue, please contact Judith Means of my staff at (202) 482-0387.

cc: James Walpole
William F. Broglie

³Although the Magnuson-Stevens Act (MSA) permits disclosure to Federal, State, and Marine Fisheries Commission employees of submissions made in compliance with the MSA, (16 U.S.C. § 1881a(b)), this is not relevant since the submission of social security numbers for permits is not mandated by the MSA, but by the Debt Collection Act.



-CITE-

31 USC Sec. 7701

01/02/01

-EXPCITE-

TITLE 31 - MONEY AND FINANCE

SUBTITLE V - GENERAL ASSISTANCE ADMINISTRATION

CHAPTER 77 - ACCESS TO INFORMATION FOR DEBT COLLECTION

-HEAD-

Sec. 7701. Taxpayer identifying number

-STATUTE-

(a) In this section -

(1) ''included Federal loan program'' has the same meaning given that term in section 6103(1)(3)(C) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(1)(3)(C)).

(2) ''taxpayer identifying number'' means the identifying number required under section 6109 of the Internal Revenue Code of 1986 (26 U.S.C. 6109).

(b) The head of an agency administering an included Federal loan program shall require a person applying for a loan under the program to provide that person's taxpayer identifying number.

(c)(1) The head of each Federal agency shall require each person

doing business with that agency to furnish to that agency such person's taxpayer identifying number.

(2) For purposes of this subsection, a person shall be considered to be doing business with a Federal agency if the person is -

(A) a lender or servicer in a Federal guaranteed or insured loan program administered by the agency;

(B) an applicant for, or recipient of, a Federal license, permit, right-of-way, grant, or benefit payment administered by the agency or insurance administered by the agency;

(C) a contractor of the agency;

(D) assessed a fine, fee, royalty or penalty by the agency; and

(E) in a relationship with the agency that may give rise to a receivable due to that agency, such as a partner of a borrower in or a guarantor of a Federal direct or insured loan administered by the agency.

(3) Each agency shall disclose to a person required to furnish a taxpayer identifying number under this subsection its intent to use such number for purposes of collecting and reporting on any delinquent amounts arising out of such person's relationship with the Government.

(4) For purposes of this subsection, a person shall not be treated as doing business with a Federal agency solely by reason of being a debtor under third party claims of the United States. The preceding sentence shall not apply to a debtor owing claims

resulting from petroleum pricing violations or owing claims resulting from Federal loan or loan guarantee/insurance programs.

(d) Notwithstanding section 552a(b) of title 5, United States Code, creditor agencies to which a delinquent claim is owed, and their agents, may match their debtor records with Department of Health and Human Services, and Department of Labor records to obtain names (including names of employees), name controls, names of employers, taxpayer identifying numbers, addresses (including addresses of employers), and dates of birth. The preceding sentence shall apply to the disclosure of taxpayer identifying numbers only if such disclosure is not otherwise prohibited by section 6103 of the Internal Revenue Code of 1986. The Department of Health and Human Services, and the Department of Labor shall release that information to creditor agencies and may charge reasonable fees sufficient to pay the costs associated with that release.

-SOURCE-

(Added Pub. L. 103-272, Sec. 4(f)(1)(Y)(i), July 5, 1994, 108 Stat. 1363; amended Pub. L. 104-134, title III, Sec. 31001(i)(1), Apr. 26, 1996, 110 Stat. 1321-364.)

-REFTEXT-

REFERENCES IN TEXT

Section 6103 of the Internal Revenue Code of 1986, referred to in

subsecs. (a)(1) and (d), is classified to section 6103 of Title 26, Internal Revenue Code.

-MISC2-

AMENDMENTS

1996 - Subsecs. (c), (d). Pub. L. 104-134 added subsecs. (c) and (d).



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Section 802, Pub. L. 108-199

SEC. 802. GULF OF ALASKA ROCKFISH DEMONSTRATION PROGRAM.

The Secretary of Commerce, in consultation with the North Pacific Fishery Management Council, shall establish a pilot program that recognizes the historic participation of fishing vessels (1996 to 2002, best 5 of 7 years) and historic participation of fish processors (1996 to 2000, best 4 of 5 years) for Pacific ocean perch, northern rockfish, and pelagic shelf rockfish harvested in Central Gulf of Alaska. Such a pilot program shall (1) provide for a set-aside of up to 5 percent for the total allowable catch of such fisheries for catcher vessels not eligible to participate in the pilot program, which shall be delivered to shore-based fish processors not eligible to participate in the pilot program; (2) establish catch limits for non-rockfish species and non-target rockfish species currently harvested with Pacific ocean perch, northern rockfish, and pelagic shelf rockfish, which shall be based on historical harvesting of such bycatch species. The pilot program will sunset when a Gulf of Alaska Groundfish comprehensive rationalization plan is authorized by the Council and implemented by the Secretary, or 2 years from date of implementation, whichever is earlier.