DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

RIN 0648–XG126

Identification of Nations Engaged in Illegal, Unreported, or Unregulated Fishing, Bycatch, or Shark Fishing

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

ACTION: Notice; request for information.

SUMMARY: NMFS is seeking information regarding nations whose vessels are engaged in illegal, unreported, or unregulated (IUU) fishing, bycatch of protected living marine resources (PLMR), and/or fishing activities in waters beyond any national jurisdiction that target or incidentally catch sharks. Such information will be reviewed for the purposes of the identification of nations pursuant to the High Seas Driftnet Fishing Moratorium Protection Act (Moratorium Protection Act) and ongoing implementation of the Marine Mammal Protection Act Import Provisions.

DATES: Information should be received on or before December 31, 2018. A public webinar will take place from 3 to 4 p.m. eastern daylight saving time on June 26, 2018.

ADDRESSES: Information may be submitted to either by mail to: NMFS Office of International Affairs and Seafood Inspection, Attn.: MSRA Information, F/IS 1315 East-West Highway, Silver Spring, MD 20910, or electronically to: IUUPLMR.Sharks@noaa.gov. Information on how to participate in the June 26, 2018, public webinar will be posted online at https://www.fisheries.noaa.gov.

FOR FURTHER INFORMATION CONTACT: Oriana Villar, phone 301–427–8384, or email Oriana.Villar@noaa.gov.

SUPPLEMENTARY INFORMATION: The Shark Conservation Act of 2010 (Pub. L. 111–348) amended the Moratorium Protection Act by requiring that actions be taken by the United States to strengthen shark conservation. In November 2015, the Illegal, Unreported, and Unregulated Fishing Enforcement Act of 2015 (IUUFEA) (Pub. L. 114–81) further amended the Moratorium Protection Act by, among other things, expanding the scope of information that can be used for the identification of nations to three years for the IUU fishing and bycatch provisions. In December 2016 the Ensuring Access to Pacific Fisheries Act (EAPFA) (Pub. L. 114–327) amended the Moratorium Protection Act by also expanding the scope of information that can be used for the identification of nations to three years for the shark provisions.

Specifically, the Moratorium Protection Act requires the Secretary of Commerce (Secretary) to identify in a biennial report to Congress those nations whose fishing vessels are engaged, or have been engaged at any point during the preceding three years, in IUU fishing. The definition of IUU fishing can be found at 50 CFR 300.201 and includes:

(1) Fishing activities that violate conservation and management measures required under an international fishery management agreement to which the United States is a party, including catch limits or quotas, capacity restrictions, bycatch reduction requirements, shark conservation measures, and data reporting;

(2) In the case of non-parties to an international fishery management agreement to which the United States is a party, fishing activities that would undermine the conservation of the...
resources managed under that agreement;

(3) Overfishing of fish stocks shared by the United States, for which there are no applicable international conservation or management measures or in areas with no applicable international fishery management organization or agreement, that has adverse impacts on such stocks;

(4) Fishing activity that has an adverse impact on vulnerable marine ecosystems such as seamounts, hydrothermal vents, cold water corals and other vulnerable marine ecosystems located beyond any national jurisdiction, for which there are no applicable conservation or management measures or in areas with no applicable international fishery management organization or agreement; and

(5) Fishing activities by foreign flagged vessels in U.S. waters without authorization of the United States.

In addition, the Secretary must identify in the biennial report those nations whose fishing vessels are engaged, or have been engaged at any point during the preceding three years in fishing activities in waters beyond any national jurisdiction that result in bycatch of a PLMR, or beyond the U.S. exclusive economic zone (EEZ) that result in bycatch of a PLMR shared by the United States, and that have not implemented measures to address that bycatch that are comparable in effectiveness to U.S. regulatory requirements. In this context, PLMRs are defined as non-target fish, sea turtles, sharks, or marine mammals that are protected under U.S. law or international agreement, including the Marine Mammal Protection Act, the Endangered Species Act, the Shark Finning Prohibition Act, and the Convention on International Trade in Endangered Species of Wild Flora and Fauna. PLMRs do not include species, except sharks, managed under the Magnuson-Stevens Fishery Conservation and Management Act, the Atlantic Tunas Convention Act, or any international fishery management agreement. A list of species considered as PLMRs for this purpose is available online at: https://www.fisheries.noaa.gov/national/international-affairs/identification-iuu-fishing-activities.

Furthermore, the Shark Conservation Act and the EAPFA requires that the Secretary identify nations in a biennial report to Congress whose fishing vessels are engaged, or have been engaged during the preceding three years prior to the biennial report in fishing activities or practices in waters beyond any national jurisdiction that target or incidentally catch sharks and the nation has not adopted a regulatory program to provide for the conservation of sharks, including measures to prohibit removal of any of the fins of a shark (including the tail) and discarding the carcass of the shark at sea, that is comparable to that of the United States, taking into account different conditions.

More information regarding the identification process and how the information received will be used in that process can be found in the regulations codified at 50 CFR 300.200. Note that the timeframe for activities to be considered for IUU fishing, bycatch, and shark identifications has not been changed to reflect the amendments in the IUUFEA and EAPFA to three years each.

The fifth biennial report to Congress was submitted in January 2017 and is available online at: https://www.fisheries.noaa.gov/national/international-affairs/list-foreign-fisheries

The methodology used to collect the information:

Specificity of the information provided:

Suscetibility of the information to falsification and alteration; and

Credibility of the individuals or organization providing the information.

With regard to marine mammals, NMFS is also seeking information on foreign commercial fishing operations that export fish and fish products to the United States and the level of incidental and intentional mortality and serious injury of marine mammals in those fisheries. NMFS will use this information to identify harvesting nations with commercial fishing operations that export fish and fish products to the United States and classify those fisheries based on their frequency of marine mammal interactions as either “exempt” or “export” fisheries as part of its development of the List of Foreign Fisheries (LOFF). The classification of a fishery on the final LOFF determines which regulatory requirements will be applicable to that fishery for it to receive a comparability finding necessary to export fish and fish products to the United States from that fishery. The final LOFF can be found at https://www.fisheries.noaa.gov/foreign/international-affairs/list-foreign-fisheries
In March 2018, NMFS published its final 2017 LOFF (83 FR 11703, March 16, 2018), as required by the regulations implementing the Fish and Fish Product Import Provisions of the Marine Mammal Protection Act. The final LOFF reflects information received in its response to information requests to nations and the public (82 FR 2961, January 10, 2017) and during the comment period on interactions between commercial fisheries exporting fish and fish products to the United States and marine mammals, and updates and revisions to the draft LOFF (82 FR 39762, August 22, 2017).

NMFS will revise the LOFF in 2020. In anticipation of this revision, NMFS is soliciting information from harvesting nations; other foreign, regional, and local governments; regional fishery management organizations; nongovernmental organizations; industry organizations; academic institutions; and citizens and citizen groups to identify commercial fishing operations with intentional or incidental mortality and serious injury of marine mammals. For each item we are requesting you identify the exporting nation as the harvesting nation, the processing or intermediary nation, or both. For fisheries exporting fish and fish products to the United States NMFS is requesting the following information:

- Number of participants;
- Number of vessels;
- Gear type;
- Target species;
- Area of operation;
- Fishing season; and
- Information regarding the frequency of marine mammal incidental and intentional mortality and serious injury.

Such information may include fishing vessel records; reports of on-board fishery observers; information from off-loading facilities, port-side government officials, enforcement agents, transshipment vessel workers and fish importers; government vessel registries; RFMO or intergovernmental agreement documents and statistical document programs; appropriate catch certification programs; and published literature and reports on commercial fishing operations with intentional or incidental mortality and serious injury of marine mammals.

NMFS will consider all available information, as appropriate. Information should be as specific as possible as this will assist NMFS in its review. NMFS will consider several criteria when determining whether information is appropriate for use in making identifications, including:

- Corroboration of information;
- Whether multiple sources have been able to provide information in support of an identification;
- The methodology used to collect the information;
- Specificity of the information provided;
- Susceptibility of the information to falsification and alteration; and
- Credibility of the individuals or organization providing the information.


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Director, Office of International Affairs and Seafood Inspection, National Marine Fisheries Service.

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CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

Agency Information Collection Activities: Submission to the Office of Management and Budget for Review and Approval; Comment Request; Application Package for AmeriCorps Enrollment and Exit Forms

AGENCY: Corporation for National and Community Service (CNCS).

ACTION: Notice of information collection; request for comment.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, CNCS is proposing to revise an information collection.

DATES: Written comments must be submitted to the individual and office listed in the ADDRESSES section by July 23, 2018.

ADDRESSES: You may submit comments, identified by the title of the information collection activity, by any of the following methods:

(1) By mail sent to: Corporation for National and Community Service, Attention [Amy Borgstrom], 250 E Street SW, Washington, DC 20525.

(2) By hand delivery or by courier to the CNCS mailroom at the mail address given in paragraph (1) above, between 9:00 a.m. and 4:00 p.m. Eastern Time, Monday through Friday, except federal holidays.

(3) Electronically through www.regulations.gov.

Individuals who use a telecommunications device for the deaf (TTY–TDD) may call 1–800–833–3722 between 8:00 a.m. and 8:00 p.m. Eastern Time, Monday through Friday.

Comments submitted in response to this notice may be made available to the public through regulations.gov. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. If you send an email comment, your email address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the internet. Please note that responses to this public comment request containing any routine notice about the confidentiality of the communication will be treated as public comment that may be made available to the public notwithstanding the inclusion of the routine notice.

FOR FURTHER INFORMATION CONTACT: Amy Borgstrom, 202–606–6930, or by email at aborgstrom@cns.gov.

SUPPLEMENTARY INFORMATION:

Title of Collection: AmeriCorps Enrollment and Exit Form.

OMB Control Number: 3045–0006.

Type of Review: Revision.

Respondents/Affected Public: Individuals and Households.

Total Estimated Number of Annual Respondents: 160,000.

Total Estimated Annual Frequency: Once.

Total Estimated Average Response Time per Response: 10 minutes.

Total Estimated Number of Annual Burden Hours: 266,667.

Total Burden Cost (capital/startup): None.

Total Burden Cost (operating/maintenance): None.

Abstract: CNCS is seeking approval of the National Service Trust Enrollment Form and the National Service Trust Exit Form, which is used by AmeriCorps members and program staff to enroll in the National Service Trust and to document the completion of a member’s term of service, a requirement to receiving a Segal Education Award, and to meet other legal and program requirements. CNCS also seeks to continue using the currently approved information collection until the revised information collection is approved by OMB. The currently approved information collection is due to expire on August 30, 2020.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency’s estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d)