

**SUPPORTING STATEMENT
STATEMENT OF FINANCIAL INTERESTS
REGIONAL FISHERY MANAGEMENT COUNCILS
OMB CONTROL NO. 0648-0192**

A. JUSTIFICATION

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

The [Magnuson Stevens Fishery Conservation and Management Act](#) (Magnuson-Stevens Act) authorizes the establishment of Regional Fishery Management Councils (FRMC) to exercise sound judgment in the stewardship of fishery resources through the preparation, monitoring, and revision of fishery management plans under circumstances (a) which will enable the States, the fishing industry, consumers, environmental organizations, and other interested persons to participate in the development of such plans, and (b) which take into account the social and economic needs of fishermen and dependent communities.

Section 302(j) of the Magnuson-Stevens Act requires that Council members appointed by the Secretary, Scientific and Statistical Committee (SSC) members appointed by a Council, or individuals nominated by the Governor of a State for possible appointment as a Council member, disclose their financial interest in any Council fishery. These interests include harvesting, processing, lobbying, advocacy, or marketing activity that is being, or will be, undertaken within any fishery over which the Council concerned has jurisdiction.

The information required to be reported must be disclosed on NOAA Form 88-195, "Statement of Financial Interests," or such other form as the Secretary may prescribe.

This request is a renewal of this information collection. *The information collection will need to expire no later than October 31, 2013*, in order to be included in the packages to the governors which go out annually in January requesting nominations. Also, Council and SSC members are required to update their forms annually by February 1, according to requirements. With Council meetings for the year usually ending by the end of October or beginning of November, the October 31 expiration date has always worked best, given the scheduling of the above-described events. We realize that the renewal request will not be approved sooner than December, 2010; this was the case in 2008, but per our request, we received the October expiration date.

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

The information is intended to inform the Secretary of Commerce (Secretary) and the public of potential and appointed members' conflicts of interest. Seated Council members appointed by the Secretary, including the Tribal Government appointee, as well as SSC members appointed by the Councils, must file a financial interest form within 45 days of taking office, must file an

annual disclosure by February 1, and must file an update of their statements within 30 days of the time any such financial interest is acquired or substantially changed. The information is also intended to inform the Secretary of potential SSC members' conflicts of interest.

As explained in the preceding paragraphs, the information gathered has utility. NOAA Fisheries 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 to Question 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.

Use of automated technology has not been deemed to offer the opportunity to substantially reduce collection of information burden on the respondents. An original signature is required.

4. Describe efforts to identify duplication.

There is no duplication. Information being collected is specific and relevant only to the Regional Fishery Management Councils and SSCs.

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

NA.

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

Failure to collect this information would increase the risk of SSC and Council members violating the Magnuson-Stevens Act and other conflict of interest laws by voting on Council decisions that would have a significant and predictable effect on any of their financial interests.

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

The collection is consistent with OMB guidelines.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice published on April 21, 2010 (75 FR 20810) solicited public comment on this renewal. No comments addressing the information collection requirements were received.

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

No payment or gift will be made to respondents.

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

As stated on the interest disclosure form, financial statements completed by Council members appointed by the Secretary will be kept on file by the Council and the Secretary, and made available on Council Internet sites and for public inspection at the Council offices during reasonable hours, and at each public hearing or public meeting. Financial statements completed by SSC members will be kept on file by the Secretary.

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

No sensitive questions are asked.

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

Estimate in hours of the burden of the collection of information:

Number of respondents = 330

Frequency of responses = yearly

Total number of responses expected = 330

Average response time per respondent = 35 minutes

Total annual response time = 193 hours

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 Question 12 above).

Annualized cost per respondent are estimated at \$.78 (\$.45 for postage + \$.33 for copying). Based on 330 total responses, this equates to \$257.40.

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

Staff time to process x salary of processor = \$19/hour x 30 hours = \$570.

15. Explain the reasons for any program changes or adjustments..

The burden hours have been adjusted, as there are two fewer respondents estimated per year. There is still a small increase in costs, due to the postage rate increase.

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

The results 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.

Not Applicable.

18. Explain each exception to the certification statement.

There are no exceptions.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

The collection does not use statistical methods.