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System of Records Notices - COMMERCE-NOAA-6

SYSTEM NAME:

Fishermen's Statistical Data.

SYSTEM LOCATIONS:

Data Management and Information Systems Division, NMFS, NOAA, U.S. Department of Commerce, 3300 Whitehaven Street, NW, Washington, DC 20235; and the following field locations of the National Marine Fisheries Services:

Northeast Fisheries Center, Woods Hole, Massachusetts 02543

Southeast Fisheries Center, 75 Virginia Beach Drive, Miami, Florida 33149

Southwest Fisheries Center, PO Box 271, LaJolla, California 92038

Northwest and Alaska Fisheries Center, 2725 Montlake Boulevard, East, Seattle, Washington 98112

Northeast Regional Office, 14 Elm Street, Federal Building, Gloucester, Massachusetts 01930

Southeast Regional Office, 9450 Gandy Boulevard, St. Petersburg, Florida 33702

Southwest Regional Office, 300 South Ferry Street, Terminal Island, California 90731

Northwest Regional Office, 1700 Westlake Avenue, North, Seattle, Washington 98105

Alaska Regional Office, PO Box 1668, Juneau, Alaska 99802

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Marine recreational and commercial fishermen, owners/operators of registered/documents boats and vessels.

CATEGORIES OF RECORDS IN THE SYSTEM:

- a. Marine recreational fishermen catches by species, length, weight, area of capture, disposition of catch, and expenses and other trip records.

- b. Fishery Management Plan data consist of such data as: Individual's name, address, telephone number, sex, age group, and income group, obtained in fishing censuses. Other data contain boat and vessel registration information, including owner and operator, vessel characteristics, gear types, and area fished.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

- a. Fish and Wildlife Act as amended (16 U.S.C. 742 et seq.).

- b. Fishery Conservation and Management Act of 1976 as amended (16 U.S.C. 1852).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

- a. A record may be disclosed pursuant to the following general routine uses of the Department of Commerce's Prefatory Statement:
 1. In the event that a system or records maintained by the Department to carry out its functions indicates a violation or potential violation of law or contract, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute or contract, or rule, regulation, or order issued pursuant thereto, or the necessity to protect an interest of the Department, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute or contract, or rule, regulation or order issued pursuant thereto, or protecting the interest of the Department.

 2. A record from this system of records may be disclosed, as a routine use, to a Federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Department decision concerning the assignment, hiring or retention of an individual, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed, as a routine use, to a Federal, state, local, or international agency, in response to its request, in connection with the assignment, hiring or retention of an individual, the issuance of a security clearance, the reporting of an investigation of an individual, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.

8. A record in this system of records may be disclosed, as a routine use, to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

9. A record in this system of records may be disclosed, as a routine use, to the Department of Justice in connection with determining whether disclosure thereof is required by the Freedom of Information Act (5 U.S.C. 552).

12. A record in this system may be transferred, as a routine use, to the Office of Personnel Management: for personnel research purposes; as a data source for management information; for the production of summary descriptive statistics and analytical studies in support of the function for which the records are collected and maintained; or for related manpower studies.

b. Data in the system are required for the development and monitoring of fishery management plans

c. A record in this system of records may be disclosed to appropriate agencies, entities and persons when: (1) it is suspected or determined that the security or confidentiality of information in the system of records has been compromised; (2) the Department has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or whether systems or programs (whether maintained by the Department or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Department's efforts to respond to the suspected or confirmed compromise and to prevent, minimize, or remedy such harm. 72 FR 45009

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper copy, punch cards, mag-tape, and disc files.

RETRIEVABILITY:

Filed alphabetically by name.

SAFEGUARDS:

Personnel indoctrination and screening; secured offices; and entrance into the computer system to obtain individual records would require detailed knowledge of in-house ADP procedures by a skilled computer programmer.

RETENTION AND DISPOSAL:

Records are permanently maintained.

SYSTEM MANAGER(S) AND ADDRESS:

Executive Director, National Marine Fisheries Service, 3300 Whitehaven Street, Washington, DC 20235.

NOTIFICATION PROCEDURE:

Information may be obtained from: Assistant Administrator for Management and Budget, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852. Requester should provide name pursuant to the inquiry provisions of the Department's rules which appear in 15 CFR part 4b.

RECORD ACCESS PROCEDURES:

Requests from individuals should be addressed to: Same address as stated in the notification section above.

CONTESTING RECORD PROCEDURES:

The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in 15 CFR part 4b. Use above address.

RECORD SOURCE CATEGORIES:

Subject individuals.

SYSTEM EXEMPTIONS FROM CERTAIN PROVISIONS OF THE ACT:

None.

FEDERAL REGISTER HISTORY: