



**NOAA FISHERIES/GREATER ATLANTIC REGION
ANALYSIS AND PROGRAM SUPPORT
VESSEL LANDING HISTORY REQUEST
FACT SHEET – SEPTEMBER 2020**

Instructions: Use this form to request your landings history for data submitted to the Greater Atlantic Region. Please complete page 3 below and submit it to us to obtain a report of your vessel's landings. We have a separate form if you would like to give permission for someone else to have access to your landings information. Please contact us if you would like that form.

Please contact us at NMFS.GAR.Data.Requests@noaa.gov or by phone at (978) 281-9133 if you have any questions or need more information regarding a request.

Background Information: Greater Atlantic Region permit holders provide data about fishing vessel catches and landings by submitting mandatory fishing vessel trip reports and dealer reports. The data submitted are statutorily confidential, as set forth in section 402(b)(1) of the Magnuson-Stevens Fishery Conservation and Management Act. Because the information submitted in vessel and dealer reports is confidential, it can only be provided, with limited exceptions, to the individual who submitted the information, unless that individual provides written authorization to the Agency to release it to someone else. This may be accomplished at the time of a vessel purchase and sales agreement, or subsequently for specific data needs. In both cases the authorization must be specific and signed by the owner of the information.

Industry members often ask for clarification of the language that should be used to authorize the release of confidential data to someone other than the submitter. In many cases, individuals thought that language in a bill of sale discussing transfer of permit and fishing history would be sufficient to address the release of confidential data. However, in most cases, the language included in bills of sale has only been sufficient to satisfy the requirements of the Greater Atlantic Region vessel permit regulations [50 CFR 648.4(a)(1)(i)(D)], that specify that fishing and permit histories are presumed to transfer with the vessel unless there is written evidence to the contrary. Most bills of sale submitted by vessel owners use the term "fishing and permit histories" and are sufficient to preserve their rights under this regulation.

However, this language is not specific enough to authorize the release of confidential landings information. Suggested specific language would be, "This vessel sale or transfer conveys to the buyer the right to access all catch records relating to this vessel that were submitted to NMFS while under the ownership of the seller. This authorization is transferable to future owners of this vessel unless authorization is withdrawn by a future seller in a written document."

A caution about the use of information received: Many of the management programs developed by the New England and Mid-Atlantic Fishery Management Councils allow future participation only if a vessel has a history of landing a certain species. For example, limited access vessel permits are issued only to vessels with sufficient landings to meet the criteria developed by the Councils. NOAA Fisheries Service staff cannot provide advice about the likelihood that a vessel will or will not qualify for a future limited access program. Eligibility determinations for management programs can be made only after final regulations are implemented to establish the eligibility criteria and review process.

Additional instructions on how to request catch/landings data:

1. You can request your vessel landings history by creating your own request and including the information below or you may use the Landing History Request form attached below on page 3. All requests must be in writing and signed.

You may submit your request to our data request email below as either a scanned copy or as a picture from your phone. We will also accept faxed requests at (978) 281-9161.

NMFS.GAR.Data.Requests@noaa.gov

The request must include:

- Vessel name & Federal fishing permit number
 - USCG documentation or state registration number
 - Vessel owner name, address and phone number
 - Email address, if applicable
 - Information requested, including time period
 - Signature of the vessel owner or authorized agent
 - Date signed
 - Authorization(s) to release data, if applicable
2. For all vessel landings requests, trip-level dealer and vessel data for your vessel will be provided.
 3. If you are requesting information for a time period when the vessel was not owned by you, you must obtain and submit a written document in which the previous owner(s) authorizes you by name to receive confidential catch/landings records. This language may be included in a purchase and sales agreement, or a separate document signed by the previous owner. Suggested specific language would be, "This transfer conveys to the buyer the right to access all catch records relating to this vessel that were submitted to NMFS while under the ownership of the seller. This authorization is transferable to future owners of this vessel unless authorization is withdrawn by a future seller in a written document."
 4. If there were several previous owners of your vessel and they did not convey access to you or other subsequent owners, you must obtain a signed authorization from each owner.
 5. Data will be emailed to you as an Excel attachment; please provide your email address.

Resolving discrepancies in your vessel's data: If you identify discrepancies or omissions in the dealer purchases reported for your vessel, please contact the Vessel Trip Reporting Office at 978-281-9246 or your area Port Agent and the dealer to resolve.

If you identify errors or omissions in the Vessel Trip Report data, please contact the Vessel Trip Reporting Office at 978-281-9246.

If you have any questions or need more information regarding data requests, please call the Data Request line at (978) 281-9133 or email us at NMFS.GAR.Data.Requests@noaa.gov

