



## **DEPARTMENT OF COMMERCE**

### **National Oceanic and Atmospheric Administration**

**RTID 0648-XF553**

#### **Atlantic Highly Migratory Species; Pelagic Longline Monitoring Areas; Electronic Monitoring Vendor Certification**

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

**ACTION:** Notice; request for applications.

**SUMMARY:** NMFS is in the process of establishing two monitoring areas off the east coast of the United States within areas that are currently closed to pelagic longline fishing. Once effective, pelagic longline fishermen could fish in the monitoring areas, subject to, among other things, enhanced electronic monitoring (EM). In this notice, NMFS requests applications from EM vendors interested in providing EM services to any pelagic longline vessel that fishes in the newly established pelagic longline monitoring areas. EM vendors that are interested in being certified must submit a completed application to be considered. Once received, NMFS will review the application for completeness and possible approval and certification. Once certified, these EM vendors will be eligible to work directly with vessel owners to meet relevant monitoring area requirements. Additionally, certified vendors are required to submit quarterly reports to NMFS regarding vessel activities in the monitoring areas.

**DATES:** Application materials are accepted upon publication of this notice and will continue to be accepted until otherwise notified.

**ADDRESSES:** Please submit application materials via email to

*HMS.Monitoring@noaa.gov*.

Required application materials can be found below under Supplementary Information and additional information is available on the Atlantic highly migratory species (HMS) website at <https://www.fisheries.noaa.gov/action/amendment-15-2006-consolidated-hms-fishery-management-plan-spatial-fisheries-management-and> and <https://www.fisheries.noaa.gov/pelagic-longline-monitoring-areas>. Please be advised that non-exempt information within these applications is subject to release if requested under the Freedom of Information Act.

**FOR FURTHER INFORMATION CONTACT:** Steve Durkee or Larry Redd, Jr. at 301-427-8503 or [HMS.Monitoring@noaa.gov](mailto:HMS.Monitoring@noaa.gov).

**SUPPLEMENTARY INFORMATION:** Federal Atlantic HMS fisheries (tunas, billfish, swordfish, and sharks) are managed under the 2006 Consolidated HMS Fishery Management Plan (HMS FMP) and its amendments, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*). HMS implementing regulations are at 50 CFR part 635. Relevant to this notice and finalization of implementing regulations for Amendment 15 to the HMS FMP (91 FR 10696, March 4, 2026) the following provisions will be effective April 3, 2026: 50 CFR 635.2 defining the geographic coordinates of the monitoring areas, § 635.9(h) describing the various EM requirements for vendors and pelagic longline vessels related to vessels fishing in the monitoring areas, and § 635.35(d) describing the requirements in the monitoring areas for pelagic longline vessels.

In the final rule implementing Amendment 15 NMFS establishes two east coast monitoring areas inside areas that are currently closed to pelagic longline fishing. These monitoring areas will allow for the collection of commercial data that should inform future analyses on the effectiveness of the areas in meeting conservation and management needs. Specifically, once the final rule is effective, the Charleston Bump and East Florida

Coast Monitoring Areas will allow commercial pelagic longline fishing, subject to strict effort controls, increased reporting requirements, and enhanced EM monitoring. To meet enhanced EM requirements, vessel owners who choose to fish in the monitoring areas must arrange for EM video review from NMFS-certified vendors before they fish in the monitoring areas. This requirement is separate from the EM requirements of the Individual Bluefin Tuna Quota program. Vessel owners choosing to fish in the monitoring areas can work with any EM vendor from the NMFS-certified vendor list, subject to a mutually acceptable agreement between the vessel owner and EM vendor.

At this time, NMFS is requesting applications from entities interested in providing EM services to pelagic longline vessels fishing in the newly established pelagic longline monitoring areas. Once received, NMFS will review the application for completeness and possible approval and certification. Once certified by NMFS, EM vendors will be eligible to work directly with vessel owners to meet relevant monitoring area requirements. Additionally, once certified, EM vendors will remain on the certified vendor list unless removal is requested by the vendor or determined to be necessary by NMFS as detailed below.

#### *EM Vendor Requirements*

Certified EM vendors must be able to provide or support Atlantic HMS pelagic longline vessel owners and/or operators with the development and implementation of a vessel monitoring plan (VMP) that meets the requirements needed to fish in the monitoring areas and with the installation and maintenance of an EM system consistent with the VMP. Additionally, certified EM vendors must meet data integrity and storage requirements including the ability to receive, assess, and store the video and metadata for a minimum of 2 years after the date the data is received. Lastly, the certified EM vendor must review the video data received, including trips fished wholly or partially in a monitoring area, and submit quarterly reports for which the vendor has existing, signed

contracts to NMFS. For the video review, the EM vendor must ensure that all EM data processing staff have been trained in species identification.

Specific to the quarterly reports, EM vendors must receive on a quarterly basis all electronic data, including video and metadata and, if applicable, sensor data, collected by the EM systems on all vessels for which the EM vendor has a contract for EM services. Once all data are received, the EM vendor must review EM video data from 50 percent of all sets deployed on trips that fished in a monitoring area, with at least one set reviewed from each vessel that fished in a monitoring area. At the end of the subsequent quarter, the EM vendor must provide a report to NMFS that includes: a list of vessels that submitted or did not submit EM data for review; the location, date, and time of gear retrieval of all sets submitted for review; identification of the sets reviewed; the species caught and amounts, including disposition information; information on any technical difficulties that were experienced/addressed on the vessel and during the video review process; and any questions video reviewers may have about whether the vessel's fishing practices are compliant with the regulations. The metadata from all submitted trips and sets must accompany these quarterly reports. As appropriate, NMFS may respond to questions about fishing practices or possible regulatory violations to assist video reviewers and EM vendors in understanding the regulations and the EM program. More detailed information about EM vendor responsibilities can be found at § 635.9(h)(3) and in the compliance guide on the website under **ADDRESSES**.

#### *Application Requirements*

There is no formal application form to submit to be a certified EM vendor. Instead, interested entities must submit all of the following information to NMFS through the email under **ADDRESSES**. NMFS will consider an application to be complete when all requested information and supporting documentation has been received. The application shall include, but is not limited to:

- Identification of the management, organizational structure, and ownership structure of the applicant's business including identification by name and general function of all controlling management interests in the company, including but not limited to owners, board members, officers, authorized agents, and staff. If the applicant is a corporation, the articles of incorporation must be provided. If the applicant is a partnership, the partnership agreement must be provided.
- List of all physical and electronic mailing addresses and any relevant phone or fax numbers where the owner(s) can be contacted for correspondence.
- Current physical location for each office.
- Description of the applicant's ability to carry out responsibilities and duties of EM vendors as described fully at § 635.9(h)(3) and summarized above.
- A statement signed under penalty of perjury by an authorized agent of the applicant EM vendor that each owner, board member, officer, and employee of the EM vendor has no conflict of interest. An absence of a conflict of interest requires that, other than providing EM services to vessel owners and/or operators in the fishery, a certified EM vendor and its employees must not: have a direct or indirect interest in a fishery managed under Federal regulations, including, but not limited to, a fishing vessel, fish dealer, and/or fishery advocacy group; or solicit or accept, directly or indirectly, any gratuity, gift, favor, entertainment, loan, or anything of monetary value from anyone who conducts fishing or fishing related activities that are regulated by NMFS, or who has interests that may be substantially affected by the performance or non-performance of the responsibilities and duties of an EM vendor.
- Procedures for hiring and training of competent program staff to carry out EM field services and data services, including procedures to train, and maintain the skills of, EM data processing staff in: use of data processing software; species

identification; metadata reporting requirements; data processing procedures; data tracking; and reporting and data upload procedures.

More detailed information about EM vendor responsibilities can be found at § 635.9(h)(2)(i) and in the compliance guide on the website under **ADDRESSES**.

*Application evaluation and certification*

NMFS will review and evaluate each complete application and approve or deny an application within 90 business days of receipt of the complete application by NMFS. Approval as an EM vendor will be based on applicant's ability to perform the responsibilities and duties, as demonstrated in the application information, and an absence of conflict of interest.

If the application is not complete, NMFS will notify the applicant of any missing information. If the applicant fails to supplement the application with the information within 30 days of the date of notification, NMFS will consider the application to be abandoned.

If the application is complete and approved, NMFS will notify the vendor that they are certified and will provide any information pertinent to its participation in the EM program. NMFS will then add the EM vendor's name to the list of certified EM vendor list found on the NMFS website and in any outreach information to the industry.

If NMFS determines that the applicant is unable to perform the responsibilities and duties or has conflicts of interest, NMFS shall deny the application. If the application is denied, NMFS will notify the applicant of the reason for denial. Within 30 days of the applicant's receipt of the denial notification, an applicant may request reconsideration by submitting additional information to rectify any deficiencies specified in the written denial. Applicants that do not submit additional information within the 30-day period must resubmit a new application containing all required information to be reconsidered for the list of certified vendors.

If NMFS determines that an EM vendor should be removed from the list of certified EM vendors, NMFS will notify the EM vendor of the specific reasons for removal. Within 30 days of receiving such notification, an EM vendor may submit written evidence to rebut the reasons for removal from the list and within 30 days of receiving any rebuttal, NMFS shall notify the EM vendor of its decision. If no rebuttal is received by NMFS within the first 30-day period, the EM vendor shall be automatically removed from the list of certified EM vendors. The decision to remove an EM vendor from the list, either after reviewing a rebuttal or if no rebuttal is submitted, shall be the final decision of NMFS and the Department of Commerce. Removal from the list of approved EM vendors does not necessarily prevent an EM vendor from obtaining an approval in the future if a new application demonstrates the reasons for removal are remedied. Additionally, an EM vendor can request to be removed from the list of certified EM vendors. More detailed information about EM vendor responsibilities can be found at § 635.9(h)(2)(ii) and in the compliance guide on the website under **ADDRESSES**.

There is no deadline for submission of an application to become a certified EM vendor. Unless superseded by a future notice, interested parties can submit an application at any time and NMFS shall review and evaluate each complete application.

Dated: March 11, 2026.

**David R. Blankinship,**

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*National Marine Fisheries Service.*

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