

### III. Summary of Privacy Impact Assessment

The Privacy Act of 1974 articulates concepts for how the Federal government should treat individuals and their information and imposes duties upon federal agencies regarding the collection, use, dissemination, and maintenance of PII. The E-Government Act of 2002, Section 208, establishes the requirement for agencies to conduct PIAs for electronic information systems and collections. The assessment is a practical method for evaluating privacy in information systems and collections, and provides documented assurance that privacy issues have been identified and adequately addressed. The PIA is an analysis of how information is handled to: (i) Ensure handling conforms to applicable legal, regulatory, and policy requirements regarding privacy; (ii) determine the risks and effects of collecting, maintaining and disseminating information in identifiable form in an electronic information system; and (iii) examine and evaluate protections and alternative processes for handling information to mitigate potential privacy risks.

Conducting a PIA ensures compliance with laws and regulations governing privacy and demonstrates DOT's commitment to protect the privacy of any personal information we collect, store, retrieve, use and share. It is a comprehensive analysis of how DOT's electronic information systems and collections handle PII. The goals accomplished in completing a PIA include:

Making informed policy and system design or procurement decisions. These decisions must be based on an understanding of privacy risk, and of options available for mitigating that risk;

- Accountability for privacy issues;
- Analyzing both technical and legal compliance with applicable privacy law and regulations, as well as accepted privacy policy; and
- Providing documentation on the flow of personal information and information requirements within DOT systems.

The Medical Examiner's Certification Integration NPRM would require the collection of PII; therefore, a PIA is required for the rulemaking and was prepared. It was belatedly included in the rulemaking docket and then made available on the DOT Privacy Web site late in 2013. The supporting PIA, available for review in the docket, gives a complete explanation of FMCSA practices for protecting PII, as updated from the 2012 PIA prepared in support of the National Registry of Certified

Medical Examiners final rule. In addition, the 2013 PIA updates the frequency with which PII is submitted to the Agency, adds the driver's mailing address which is currently being collected on the medical forms to the list of PII required to be submitted to the National Registry, and outlines how certain PII would be transmitted to the State licensing agencies. There is no additional PII collected under this NPRM. The updated 2013 PIA is specifically related to both the National Registry and Medical Examiner's Certification Integration NPRM and the entire medical program administered by FMCSA. Upon reviewing the PIA, you should have a broad understanding of the risks and potential effects associated with the Department activities, processes, and systems described and approaches taken to mitigate any potential privacy risks.

The Agency requests comments on the possible impact of the rules proposed in the NPRM on the protection of privacy of information used in determining the physical qualifications of drivers of commercial motor vehicles, in light of the evaluation by the Agency and the Department of the protection of privacy of information set out in the Privacy Impact Assessment.

Issued under the authority delegated in 49 CFR 1.87 on: May 21, 2014.

**Larry W. Minor,**

*Associate Administrator for Policy.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 635

**RIN 0648-BA17**

#### Atlantic Highly Migratory Species; Environmental Assessment for Amendment 6 to the 2006 Consolidated Atlantic Highly Migratory Species Fishery Management Plan

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

**ACTION:** Notice of intent to prepare an Environmental Assessment.

**SUMMARY:** NMFS announces its intent to prepare an Environmental Assessment (EA) for Amendment 6 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) Fishery Management Plan (FMP) instead of an Environmental

Impact Statement (EIS), as previously announced through publication of a Notice of Intent published on September 16, 2011. NMFS intends to prepare the EA as required by the National Environmental Policy Act (NEPA) to assess the potential effects on the human environment of proposed alternatives and actions in Amendment 6 to the 2006 Consolidated HMS FMP. The EA will analyze potential environmental impacts of various proposed alternatives related to the Atlantic commercial shark fisheries consistent with the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and other relevant Federal Laws.

**DATES:** NMFS tentatively expects to release the EA for Amendment 6 to the 2006 Consolidated HMS FMP in September 2014.

**ADDRESSES:** Members of the public requesting background material on Amendment 6 to the 2006 Consolidated HMS FMP should contact LeAnn Hogan by phone or by mail at 1315 East-West Highway, Silver Spring, MD 20910.

**FOR FURTHER INFORMATION CONTACT:** LeAnn Hogan by phone: (301) 427-8503, or by fax: (727) 824-5398.

**SUPPLEMENTARY INFORMATION:** The Atlantic shark fisheries are managed under the authority of the Magnuson-Stevens Act. The 2006 Consolidated HMS FMP is implemented by regulations at 50 CFR part 635. The NOI published on September 16, 2011 (76 FR 57709) that announced NMFS' intent to consider catch shares for the Atlantic shark fisheries and established a control date for eligibility to participate in any potential catch share program. While NMFS received a variety of comments on the 2011 NOI, many of the commenters opposed the idea of catch shares for the Atlantic shark fisheries. These NOI comments, along with recent shark fishery trends and management changes, have led NMFS to re-consider whether catch shares are the best management tool for the Atlantic shark fisheries at this time. Catch shares remain a potential future management tool that could address some of the issues in the Atlantic shark fisheries. At this time, short-term management measures may better address the current issues facing these fisheries, while potentially economically benefitting the Atlantic shark fisheries. NMFS therefore intends to move forward with a proposal for short-term management measures for the Atlantic shark fisheries that will achieve the goals and objectives of increasing management flexibility to achieve optimum yield while rebuilding overfished stocks and

ending overfishing. As required under NEPA, NMFS will analyze potential environmental impacts of various alternatives regarding proposed changes to regional sub-quotas and permit structures for the commercial shark fisheries in U.S. waters of the Atlantic Ocean. NMFS anticipates that the proposed actions would have a low level of potential environmental impact due to the fact that the purpose of Amendment 6 is to propose management measures that have the flexibility to maximize the sustainable yield of the Atlantic shark fisheries, while staying within the acceptable biological catch levels of the various shark management groups in order to achieve optimum yield, rebuild overfished stocks, and end overfishing, as appropriate. Additionally, any potential impacts to protected species would be expected to be minimal. Thus, after consideration of substantive comments received on the 2011 NOI and a preliminary assessment of potential environmental impacts associated with management measures other than a catch share program, NMFS has determined that that an EA will provide an appropriate level of NEPA review to assess the potential effects on the human environment of proposed alternatives and actions under Amendment 6 to the 2006 Consolidated HMS FMP and that preparation of an EIS is not necessary.

**Authority:** 16 U.S.C 1801 *et seq.*

Dated: May 16, 2014.

**Alan D. Risenhoover,**

Director, Office of Sustainable Fisheries,  
National Marine Fisheries Service.

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

#### 50 CFR Part 648

[Docket No. 130726661-4419-01]

RIN 0648-BD56

#### Fisheries of the Northeastern United States; Monkfish; Framework Adjustment 8

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

**ACTION:** Proposed rule; request for comments.

**SUMMARY:** NMFS proposes to approve and implement regulations to

implement Framework Adjustment 8 to the Monkfish Fishery Management Plan. The New England and Mid-Atlantic Fishery Management Councils developed Framework Adjustment 8 to revise existing monkfish day-at-sea allocations and landing limits to better achieve optimum yield in each fishery management area. Framework Adjustment 8 would also revise biological reference points for the monkfish stocks in the Northern and Southern Fishery Management Areas based on an updated stock assessment, allow vessels issued a limited access monkfish Category H permit to fish throughout the Southern Fishery Management Area, and enable vessels to use an allocated monkfish-only day-at-sea at any time throughout the fishing year.

**DATES:** Public comments must be received by June 11, 2014.

**ADDRESSES:** You may submit comments on this document, identified by NOAA-NMFS-2013-0173, by any of the following methods:

- **Electronic Submission:** Submit all electronic public comments via the Federal e-Rulemaking Portal. Go to [www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2013-0173](http://www.regulations.gov/#/docketDetail;D=NOAA-NMFS-2013-0173), click the "Comment Now!" icon, complete the required fields, and enter or attach your comments.

- **Mail:** Submit written comments to John K. Bullard, Regional Administrator, National Marine Fisheries Service, 55 Great Republic Drive, Gloucester, MA 01930-2276. Mark the outside of the envelope: "Comments on Monkfish Framework 8."

**Instructions:** Comments sent by any other method, to any other address or individual, or received after the end of the comment period, may not be considered by NMFS. All comments received are a part of the public record and will generally be posted for public viewing on [www.regulations.gov](http://www.regulations.gov) without change. All personal identifying information (e.g., name, address, etc.), confidential business information, or otherwise sensitive information submitted voluntarily by the sender will be publicly accessible. NMFS will accept anonymous comments (enter "N/A" in the required fields if you wish to remain anonymous). Attachments to electronic comments will be accepted in Microsoft Word, Excel, or Adobe PDF file formats only.

New England Fishery Management Council staff prepared an environmental assessment (EA) for Monkfish Framework Adjustment 8 that describes the proposed action and other

considered alternatives. The EA provides a thorough analysis of the biological, economic, and social impacts of the proposed measures and other considered alternatives. Staff from the Northeast Fisheries Science Center also prepared an Initial Regulatory Flexibility Analysis (IRFA) for this action. The IRFA is contained in the EA prepared for this action, but also summarized in the Classification section of this proposed rule. Copies of the Framework 8 EA are available on request from Thomas A. Nies, Executive Director, New England Fishery Management Council, 50 Water Street, Newburyport, MA 01950. This document is also available from the following internet addresses: <http://www.nero.noaa.gov> or <http://www.nefmc.org>.

#### FOR FURTHER INFORMATION CONTACT:

Douglas Christel, Fishery Policy Analyst, (978) 281-9141, fax (978) 281-9135.

#### SUPPLEMENTARY INFORMATION:

##### Background

The monkfish fishery is jointly managed under the Monkfish Fishery Management Plan (FMP) by the New England and the Mid-Atlantic Fishery Management Councils. The fishery extends from Maine to North Carolina from the coast out to the continental margin. The Councils manage the fishery as two management units, with the Northern Fishery Management Area (NFMA) covering the Gulf of Maine and northern part of Georges Bank, and the Southern Fishery Management Area (SFMA) extending from the southern flank of Georges Bank through the Mid-Atlantic Bight to North Carolina. The monkfish fishery is primarily managed by landing limits and a yearly allocation of monkfish days-at-sea (DAS) calculated to enable vessels participating in the fishery to catch, but not exceed, the annual catch limit (ACL) in each management area. Catch levels are typically set every 3 years, but can be continued or revised at any time based upon updated stock assessments or other relevant information, as appropriate, through the framework adjustment process. Further, based on a yearly evaluation of the monkfish fishery, the Councils may revise existing management measures, including DAS allocations and landing limits, to better achieve the goals and objectives of the FMP and achieve optimum yield (OY), as required by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act).

The Councils developed Framework 8 to incorporate the results of the latest