

Pacific Islands Fisheries Science Center
National Marine Fisheries Service
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Revised
November 21, 2007

Pacific Islands Fisheries Science Center Policy on Confidentiality of Fisheries Operations Data

Fisheries data from commercial, recreational and subsistence fishing operations should be presented for scientific and management purposes in a manner which balances the rights and operational confidences of our sources of information with our scientific and management obligations to make information accessible. We have a responsibility to our data sources (i.e., the fishing vessel captains and owners) to be prudent in the use of such data. And from a self-interest point of view, we want to ensure that data are recorded accurately by the fishing community (e.g., in logbooks). Therefore we want to inspire their confidence by our appropriate use of confidential data.

Of course, confidential data may continue to be used by researchers for analytical purposes subject to abiding by the non-disclosure standards. The real issue is in the publication or presentation of information (or information summaries) which might be viewed as revealing the operational practices or other sensitive information about individuals or companies.

Where the following standards cannot be met while meeting scientific and management requirements, the Science Director may make an exception.

The following are standards for public dissemination of data and data summaries, including publication in scientific papers and fishery management reports. The standards apply to data collected through the Pacific Islands Fisheries Science Center. Standards for data from other sources depend on the conditions placed upon receipt of such data. Confidential data from other sources cannot be provided to third parties without approval of the original source of the data.

1. Individual vessel identifiers cannot be attached to any individual data items which are made public. (Vessel identifiers include vessel name or permit number; individual data items include fishing location, catch, and effort.)

Vessels could be differentiated by random identifiers for some purposes, as long as such an identifier did not reveal actual identities.

2. Any fishery-wide aggregations of fisheries operations data shall include information from three or more individual vessels. Effort information, including just the presence of fishing, can be just as sensitive as the actual catch itself. All data analysis programs should include a procedure for calculating the number of vessels within the aggregate. Wherever possible, aggregations should be large enough to include more, rather than fewer, vessels.
3. If fisheries operations data are aggregated into classes of vessels or types of operations, then there should be three or more individual vessels in each aggregate. (E.g., large,

medium, and small-sized vessels; vessels targeting tuna, swordfish, or mixed species.) Wherever possible, classes should be large enough to include more, rather than fewer, vessels.

4. In many cases, confidentiality can be assured by increasing the time or area range of strata, e.g., multiple months, multiple years, or multiple locations.
5. Fishing location information is most sensitive because it is essentially a "trade secret" for the vessels involved.

Latitude and longitude information should be reported or plotted primarily on monthly 5 degree squares, which is the de facto international standard for longline fisheries data exchange. (Smaller aggregations are indicated for some other fisheries but must be reviewed for confidentiality.)

6. Where data are reported by standard fishing area (e.g., by Northwestern Hawaiian Islands fishing banks), the same aggregation rules apply.
7. Where finer displays of data are required (e.g., in examining the 50-25 mile longline area closures), smaller area aggregations may be used. In these cases, alternative ways of displaying data may be required (e.g., contours or bands of fishing activity rather than lat/long squares or individual data points). Care should be taken on the temporal scale: monthly plots of 1 degree square information are much more sensitive than annual plots.
8. Finally, presenters of information based on confidential data should put themselves in the shoes of the suppliers of such data and consider how they would view the use of their information.

Notes on filing NOAA Statement of Non-Disclosure of Confidential Data

A NOAA Statement must be filed with the Pacific Islands Fisheries Science Center's SIS Data Services for each confidential data set used by any NMFS employee, JIMAR employee, or other cooperating researcher. In general, confidential data may not be taken out of a NOAA facility, and confidential data should not be sent via internet or accessed via ftp internet protocols unless security precautions have been taken (i.e., such as encrypting data files).

NOAA Statements may also be required to be filed with the PIFSC "owner" of individual data sets.

Page 1 of the NOAA non-disclosure statement is generic to each data user.

Page 2 identifies specific named data sets (e.g., Hawaii longline logbook data, Hawaii observer data, etc.) as well as the SIS data set identification number, the data set dates (e.g., 1991-94, or 1989 - current for on-going access); the location within the PIFSC where the data will be used (e.g., office and personal computer number(s) or UNIX account), and the period of time for which data is accessible. In most cases the latter will be duration of employment for NMFS or JIMAR employees, but specific end dates are required for cooperating researchers. A different "block" on page 2 is required only for different data sets, not for each data file used.

NO ACCESS TO CONFIDENTIAL DATA MAY BE GIVEN TO ANY OTHER PERSON(S) UNLESS THEY (1) HAVE PRIOR AUTHORIZATION (IE., FROM THE PIFSC SCIENCE DIRECTOR OR CORRESPONDING DATA STEWARD) TO ACCESS THE DATA AND (2) HAVE A SIGNED COPY OF THIS STATEMENT ON FILE WITH THE PACIFIC ISLANDS FISHERIES SCIENCE CENTER'S SCIENTIFIC INFORMATION SERVICES DATA SERVICES GROUP.



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NOAA Statement of Non-Disclosure of Confidential Data

I agree to abide by NOAA Administrative Order 216-100 on Protection of Confidential Fisheries Statistics (7/26/94 as amended 7/29/94). I also agree to abide by Pacific Islands Fisheries Science Center policies on confidential data disclosure and policies on security of data, personal computer, and network computers and telecommunications.

I will not disclose any statistics identified as confidential to any person(s), except authorized users or as permitted by the Assistant Administrator for Fisheries, or the Assistant Administrator's designee, in accordance with the law, as authorized by the Office of General Counsel. I am fully aware of the civil and criminal penalties for unauthorized disclosure, misuse, or other violation of the confidentiality of such statistics.

I understand that I may be subject to criminal and civil penalties under provisions of Titles 5 U.S.C. 552 and 18 U.S.C. 1905, which are the primary Federal statutes prohibiting unauthorized disclosure of confidential data. I may also be subject to civil penalties for improper disclosure of data collected under the Trade Secrets Act, the Privacy Act, the Magnuson-Stevens Act, the Marine Mammal Protection Act, or the Endangered Species Act.

 Print Name Phone

 Position Title

 Address

Affiliation: _____ NMFS _____ Council Staff
 (check one) _____ Other Federal _____ Council Member
 _____ State _____ Grantee
 _____ Contractor, specify:

 Signature Date

NOAA Administrative Order 216-100 and associated references are available from SIS Data Services upon request.

PERMISSIONS FOR USE OF CONFIDENTIAL DATA: PACIFIC ISLANDS FISHERIES SCIENCE CENTER, NMFS

Print Name

Signature

Date

Dataset Name _____

Dataset Dates _____

Location of Use _____

Dates of Access _____ SIS Data # _____

Dataset Name _____

Dataset Dates _____

Location of Use _____

Dates of Access _____ SIS Data # _____

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