

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON
NATIONAL MARINE FISHERIES SERVICE REPORT

In March, the Highly Migratory Species Advisory Subpanel (HMSAS) offered comments regarding the potential misuse of Vessel Monitoring System (VMS) data. We appreciate the Council's concern and very much appreciate the response by Mr. Gregory Busch. While we acknowledge that VMS data can be used for law enforcement purposes, we are still concerned about the public dissemination of the locations of our vessels (and participants in the salmon and groundfish fisheries). As we mentioned in March, we view our fishing locations, as disclosed by distribution of the VMS dataset, as confidential business information and trade secrets.

NMFS Policy Directive 06-101 - VMS Data Access and Dissemination Policy (accessible via <https://www.fisheries.noaa.gov/national/laws-and-policies/law-enforcement-policy-directives>) which went into effect in June of 2014 (renewed without change in November 2017) describes appropriate uses of VMS data; and addresses items related to the VMS Program. This supports the statements by Mr. Busch the VMS data can be used for purposes other than law enforcement.

“It is the policy of NOAA Fisheries to utilize VMS to aid in monitoring, control, and surveillance of fishing vessels that are managed under one or more U.S. Federal Fishery Management Plans (FMPs), and other vessels that may participate (voluntarily or otherwise) in the VMS Program, and to use VMS data for scientific research or management purposes.” Page 3 of NMFS Policy Directive 06-101.

Arguably, the use of VMS data in the article (Fishermen Follow Fine-Scale Physical Ocean Features for Finance - <https://www.frontiersin.org/articles/10.3389/fmars.2018.00046/full>) was for scientific research. We have faith that Office of Law Enforcement (OLE) will continue to monitor proposed uses of VMS datasets to ensure such uses are allowable under the law.

PFMC
06/10/18