



## NOAA FISHERIES

West Coast  
Regional  
Office

# Compliance Guide

## Inter-American Tropical Tuna Commission (IATTC) Regional Vessel Register (RVR)

This is a guide to provide information on how permit holders, owners, and operators of U.S. vessels that fish for highly migratory species in the eastern Pacific Ocean (i.e. IATTC Convention Area) can comply with regulations for the IATTC Regional Vessel Register (see parts 216 and 300 of Title 50 of the Code of Federal Regulations (CFR)). NMFS issued these regulations, under the authority of the Marine Mammal Protection Act (MMPA) and the Tuna Conventions Act of 1950, for U.S. vessels that fish for tuna or tuna-like species in the IATTC Convention Area.

Regulations are published in the *Federal Register* and are codified in the *Code of Federal Regulations*. Regulations are subject to change, and any discrepancies between this compliance guide and the regulations will be resolved in favor of the regulations published in the Federal Register and the Code of Federal Regulations.

**For more information, please  
contact:**

National Marine Fisheries Service  
West Coast Regional Office  
501 West Ocean Blvd., Suite 4200  
Long Beach, CA 90802-4213

**Tel:** (562) 980-4198

**Fax:** (562) 980-4047

**Website:**

[www.westcoast.fisheries.noaa.gov](http://www.westcoast.fisheries.noaa.gov)

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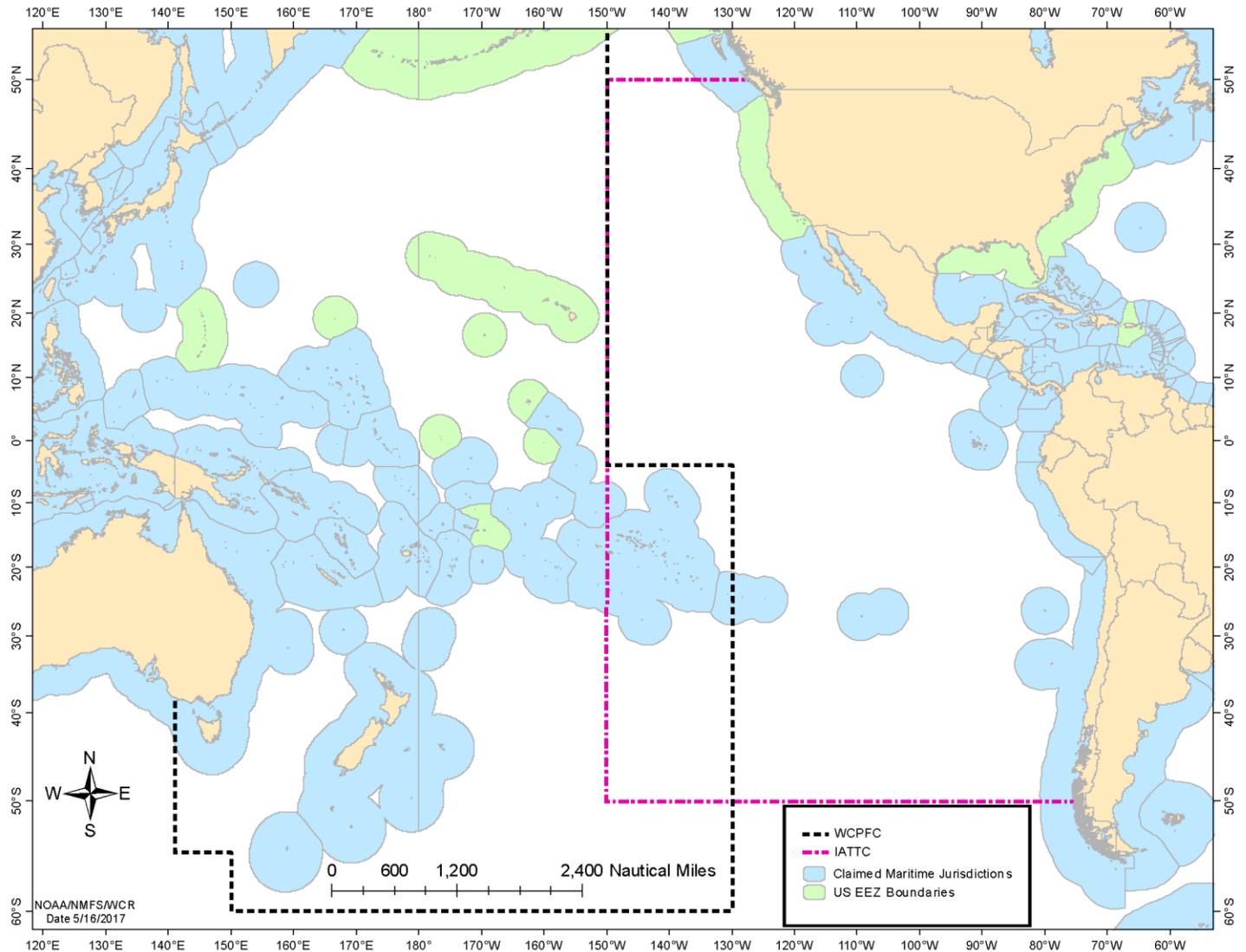
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## IATTC Regional Vessel Register Requirements ([50 CFR 300.22](#))

### Q1. Are all vessels required to be on the IATTC's Regional Vessel Register (RVR)? ([50 CFR 300.22](#))

Yes, all U.S. commercial vessels that fish for tuna or tuna-like species in the IATTC Convention Area (including the Area of Overlap) must be listed as active or authorized on the RVR. The IATTC Convention Area, as shown in **Figure 1**, is defined as waters bounded by 50°N, 150°W, 50°S, and the west coast of the Americas and includes the U.S. Exclusive Economic Zone (EEZ) along the U.S. West Coast. The Area of Overlap is defined as the rectangular area bounded by 50°S, 150° W, 130° W, and 4° S.



**Figure 1.** The IATTC Convention Area is encompassed by the red dashed line and the west coast of the Americas. The Western and Central Pacific Fisheries Commission (WCPFC) Convention Area is encompassed within the black dashed line, and the Area of Overlap is the rectangular area bounded between the between the Convention Areas of the IATTC and WCPFC.

**Table 1. Purse Seine Vessel Requirements Checklist** The table provides a summarized list of requirements in order for purse seine vessels to be listed on the IATTC RVR. These requirements are further detailed in the answers to questions 2 to 21.

<b>Purse Seine Vessel Requirements Checklist</b>	
Is the vessel considered a small purse seine or large purse seine vessel?	
Small Purse Seine ( ≤400 short tons)	Large Purse Seine ( >400 short tons)
Does the vessel need to be listed on the IATTC RVR?	
<input type="checkbox"/> <b>Yes</b> , all U.S. commercial vessels must be listed on the RVR.	
Does the vessel operator (captain) need to have an active eastern tropical Pacific Ocean (ETP) Operator Permit?	
<input type="checkbox"/> <b>No</b>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> * <b>If the captain does not have not have an active ETP Operator Permit and did not have one the previous calendar year</b> , then the vessel operator must complete an ETP Captain’s Training Workshop before obtaining an ETP Operator Permit ( <b>List of NMFS Contacts</b> on Page 10).
Does the vessel need a valid ETP Vessel Permit?	
<input type="checkbox"/> <b>No</b>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> * <b>If vessel does not have one</b> , visit the NOAA Fisheries’ permits website at ( <a href="https://fisheriespermits.noaa.gov/">https://fisheriespermits.noaa.gov/</a> ) to apply for one.
Does the vessel need other applicable permits? (See <b>Permits, Training, and Fees</b> section)	
<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> High Seas Fishing Permit <input type="checkbox"/> Pacific Highly Migratory Species Fisheries Permit, if applicable (see <b>Q17</b> ).	
Are IATTC vessel assessment fees required? ( See <b>Permits, Training, and Fees</b> section)	
<input type="checkbox"/> <b>No</b>	<input type="checkbox"/> <b>Yes</b>
Is the vessel assessment amount known?	
<ul style="list-style-type: none"> <li>• Contact <b>NMFS West Coast Region</b> to confirm the cubic meter vessel capacity on record with the IATTC to calculate the correct vessel assessment amount.</li> </ul>	
Is there a requirement for an observer on the vessel?	
<input type="checkbox"/> <b>No</b>	<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> * <b>To ensure observer requirements are met for the IATTC and WCPFC</b> , contact NMFS ( <b>List of NMFS Contacts</b> on Page 10).

## Q2. Can any purse seine vessel be listed as active on the RVR?

Purse seine vessels must meet the requirements listed in **Table 1** before being listed on the RVR and are then subject to the “active” list’s carrying capacity limit. The carrying capacity for all U.S.-flagged purse seine vessels that are listed on the RVR (both active and inactive) may not exceed a total of 31,775 cubic meters at any point within a calendar year. Therefore, not every vessel that wants to be listed on the RVR can be. Any purse seine vessel that is not listed as “active” is **prohibited** from fishing for tuna or tuna-like species in the IATTC Convention Area. However, the cubic meter well-volume capacity of a large purse seine vessel is not counted towards the capacity limit for the United States when exercising a one-trip option.

## Q3. If I target Highly Migratory Species (HMS) species using an authorized gear type other than purse seine, how do I become listed on the RVR?

NMFS sends the IATTC periodic updates of vessels on the RVR. After approval of a Pacific HMS Vessel Permit or a Hawaii Longline Limited Entry Permit, the vessel will be added to the RVR in one of NMFS’ updates. When the permit expires or becomes invalid, the vessel will be removed from the RVR.

## Q4. Is my vessel considered a small purse seine vessel or a large purse seine vessel?

A vessel is considered a small purse seine vessel if the fish storage wells carrying capacity is 400 short tons (363 metric tons) or less. A large purse seine vessel is defined as having a carrying capacity greater than 400 short tons (363 metric tons).

## Q5. Are the “active” listing requirements for small purse seine vessels and large purse seine vessels different?

Yes. Provided that the United States has available purse seine capacity, vessels can be listed as “active” after meeting the various requirements shown in the **Table 1** Checklist:

- Small purse seine vessels can be added to the IATTC RVR by contacting the NMFS West Coast Regional office ([List of NMFS Contacts](#) on Page 10). Small purse seine vessels do not currently need to pay a fee to the IATTC.
- Large purse seine vessels can be added to the IATTC RVR by contacting the NMFS West Coast Regional office ([List of NMFS Contacts](#) on Page 10). The following is also required: (1) pay a vessel assessment fee to the IATTC that is calculated based on the fish hold volume in cubic meters, (2) obtain an ETP Vessel Permit, and (3) ensure that your vessel operator has a current ETP Operator Permit.

Requests for purse seine vessels to be listed on the following year’s Active RVR may be made as early as August 1 of the current year, and will be considered as per the ranking criteria as specified in the regulations.

Information about permit applications, fees, and other related requirements can be found in the [Permits, Training, and Fees](#), section of this guide.

## Q6. What is considered a frivolous request?

Applicable only to large purse seine vessels, a request to be on the RVR will be considered frivolous if less than 20 percent of the vessel’s total landings in the calendar year in which the request was made comes from tuna harvested in the IATTC Convention Area or if the vessel did not fish for tuna at all in the IATTC Convention Area in that same year ([50 CFR 300.22\(b\)\(4\)\(ii\)\(A\)](#)). For information on the possibility of appealing a frivolous request determination, contact the IATTC Regional Vessel Register Contact ([List of NMFS Contacts](#) on Page 10).

**Q7. What are the requirements for having an observer on-board in the EPO?**

- **Small purse seine vessels** are not required to have an observer on-board their vessel.
- **Large purse seine vessels** must have an Agreement on the International Dolphin Conservation Program (AIDCP) or an IATTC-approved observer on-board during the entire time the vessel is in the IATTC Convention Area.

**Q8. What are the observer requirements if I plan to fish in both the western and central Pacific Ocean and EPO on the same trip?**

Any large purse seine vessel that is planning to leave from a port in the EPO, or that enters the IATTC Convention Area from the western and central Pacific Ocean, must ensure that it is satisfying the observer requirements for the IATTC Convention Area. **An AIDCP approved observer is required when fishing in all areas of the IATTC Convention Area including the Area of Overlap between the IATTC and WCPFC** (Figure 1). To ensure observer requirements are met for the IATTC and WCPFC, contact NMFS at least two weeks in advance ([List of NMFS Contacts](#) on Page 10).

**Q9. What is the process for an “inactive” listing on the RVR?**

Vessels listed as “inactive” on the RVR have their carrying capacity counted towards the United States capacity limit, but do not actively fish. The process for being listed on the RVR is the same as being listed as “active” (Refer to **Table 1** for requirements). Assessment fees for “inactive” status are due, when applicable, and necessary notifications still apply.

**Q10. How much is the IATTC vessel assessment fee?**

IATTC vessel assessment fees for purse seiners are calculated depending on the vessel’s well volume in cubic meters. For any questions about your specific vessel assessment fee, please contact the NMFS IATTC Regional Vessel Register Contact ([List of NMFS Contacts](#) on Page 10).

**Q11. For what reasons can a vessel be removed from the RVR?**

Vessels can be removed from the RVR if:

- The vessel sunk
- A written request was made by the vessel owner or managing owner
- There is a change in ownership of the vessel
- There was a permit sanction for a violation
- There is an unpaid penalty or default on a penalty payment agreement
- The U.S. Coast Guard or the U.S. Maritime Administration notifies NMFS that documentation on the vessel has been deleted or if the owner makes an application to transfer the vessel to a foreign registry and flag
- The vessel does not have a valid state registration or a valid U.S. Coast Guard Certificate of Documentation
- There has been written notification for intent to transfer the vessel to a foreign registry and flag by the owner
- If the request for active status on the RVR has been determined as a frivolous request
- For gear types other than purse seine, expiration or invalidation of a Pacific HMS Permit or Hawaii Longline Limited Entry Permit

### Q12. What does exercising a one-trip option mean?

Large purse seine vessels authorized and licensed to fish in other areas of the Pacific Ocean under an alternative international fisheries management regime may request the option to execute one fishing trip per year in the EPO that does not exceed 90 days in duration. Vessels exercising a one-trip option does not count towards the U.S. well-volume capacity limit. Requests for exercising a one-trip option should be made at least three weeks in advance to ensure all additional procedural requirements are met. Contact the NMFS IATTC Regional Vessel Register Contact for inquiries ([List of NMFS Contacts](#) on Page 10).

### Q13. If I am removed from the RVR, how will I know?

NMFS will notify the vessel owner if they are removed from the RVR. NMFS will accept requests to be reinstated on the RVR, unless the reason for removal is a permit sanction for a violation or there is an unpaid penalty or default on a penalty payment agreement. For purse seine vessels, reinstatement on the RVR depends on whether the United States has available well-volume capacity.

## Permits, Training, and Fees

### Q14. What permits are required for U.S. purse seine vessels fishing for tuna in the IATTC Convention Area?

- **ETP Operator Permit** ([50 CFR 216.24](#))  
Operator permits are used to ensure captains of large purse seine vessels are aware of current requirements and are qualified to direct fishing operations in the EPO.
- **ETP Vessel Permit** ([50 CFR 216.24](#))  
Vessel permits are used to maintain a record of large purse seine vessels, and also to provide detailed data elements to meet RVR listing requirements.
- **High Seas Fishing Permit** ([50 CFR 300.333](#))  
Vessels fishing on the high seas (i.e., beyond the exclusive economic zone (EEZ) of any nation) are required to have a High Seas Fishing Permit.
- **Pacific Highly Migratory Species Fisheries Permit** ([50 CFR 660.707](#))  
Commercial vessels that fish for HMS within the U.S. West Coast EEZ, or target HMS on the high seas and land their fish in California, Oregon, or Washington, using authorized gear types, are required to have a Pacific Highly Migratory Species Fisheries Permit.

### Q15. Where can I find an application for the ETP Operator Permit?

To be eligible for this permit, a large purse seine vessel operator (captain) needs to attend an ETP Captain's Training Workshop. A large purse seine vessel cannot be listed as "active" on the IATTC RVR without a permitted operator. First time permit holders will receive their operator permit following completion of this workshop. Current permit holders can renew their permits annually without undergoing training again, except in the circumstance outlined in [Q16](#). ETP Captain's Training Workshops are conducted periodically, or by request, by the National Marine Fisheries Service, West Coast Region, Protected Resources Division. They are offered online via Internet webinar. For information, contact the NMFS ETP Captain's Training Workshop Contact ([List of NMFS Contacts](#) on Page 10).

### Q16. Do captains need to take more than one ETP Captain's Training Workshop?

Operators that have a current permit or permit from the previous year will not be required to take additional training unless there are substantial changes in provisions and regulations related to the MMPA or International Dolphin Conservation Program (IDCP) or in fishing gear and techniques. If the West

Coast Regional Administrator believes an operator is not proficient in required fishing procedures or familiarity with relevant provisions or regulations, additional training might be required.

**Q17. When does a large purse seine vessel need to acquire a Pacific HMS permit in addition to the High Seas permit?**

Large purse seine vessels must acquire a Pacific HMS permit if fishing within the U.S. West Coast EEZ (i.e. off California, Oregon and/or Washington) or if they fish for HMS on the high seas and land them in California, Oregon, or Washington or if they also fish for HMS with other authorized gears (e.g., hook and line).

**Q18. Where can I find applications and additional information about the NMFS permits I may need?**

To find more information about permits and how to acquire them, visit <https://fisheriespermits.noaa.gov> or see the NMFS Permit Contact ([List of NMFS Contacts](#) on Page 10).

**Q19. Am I required to carry my ETP Vessel Permit and ETP Vessel Operator Permit on-board the vessel?**

Yes. Vessel permits must always be on board when engaged in fishing operations, and captains must keep valid operator permits in their possession in case it is requested by NMFS entities, U.S. Coast Guard officers, or the IATTC (including observers).

**Q20. What happens if my ETP Vessel Permit or ETP Vessel Operator Permit expires while I am at sea?**

ETP vessel permits and ETP vessel operator permits expire on December 31st of the current calendar year. If a permit for the next year has been issued but it is not physically on board, fishing can continue under the terms of the new permit until the vessel returns to port.

## Appendix 1: Vessels with Dolphin Mortality Limits

### Q21. What is a Dolphin Mortality Limit (DML)?

A DML is defined in the Code of Federal Regulations as the “maximum allowable number of incidental dolphin mortalities per calendar year assigned to a large purse seine vessel, unless a shorter time period is specified.” ([50 CFR 216.3](#))

### Q22. What implications does having a DML have for a U.S. vessel?

- A DML allows a large purse seine vessel to intentionally set on dolphins, though doing so makes the tuna and tuna products from that trip ineligible to be certified as dolphin-safe in the United States. Non-dolphin-safe tuna harvested in accordance with the IDCP is still allowed to be landed or imported into the United States. A vessel with a DML can still have tuna eligible for dolphin-safe certification by having valid documentation signed by a representative of the appropriate IDCP-member nation certifying that: (1) there was an IDCP-approved observer on board the vessel during the entire trip; (2) no purse seine net was intentionally deployed on or to encircle dolphins during the fishing trip and no dolphins were killed or seriously injured in the sets in which the tuna were caught; and (3) listing the numbers for the associated Tuna Tracking Forms which contain the captain's and observer's certifications.
- Except for the specific actions authorized by a DML, live marine mammals that are incidentally taken must be returned to the ocean without further injury or harm. The owner and operator are both responsible for the action and inactions of their crew in the incidental mortality or serious injury of marine mammals.
- Vessels with a DML are expected to meet additional gear requirements, equipment, and inspection requirements, which are outlined in [§216.24\(c\)](#), few of which are listed below:
  - Vessels are subject to two inspections for required equipment and gear every calendar year. The first inspection will be done before the request for a DML is submitted to the IATTC by NMFS and the second will be carried out before notification of reallocation of DMLs or during the last quarter of the year for vessels with second-semester DMLs.
  - Additional inspections must be made available to authorized IATTC staff when a net or gear modification has been made, to ensure compliance with standards. Vessel permit holders need to notify inspectors at least five days before vessel departure.
  - Failure to pass an inspection or re-inspection prohibits a vessel from purse seining with intentional taking of marine mammals until issues are corrected as required by NMFS.
- Vessels must use the marine mammal release procedures outlined in [§216.24\(c\)\(6\)](#) when fishing under a DML.

### Q23. When are notifications sent to ETP Vessel Permit holders that want a DML for the next year?

An ETP Vessel Permit holder that wants a DML the following year must submit the name of the vessel to NMFS by September 15 every year. A list of vessel names will be sent by NMFS to the IATTC for assignment of a DML the following year. Even if a vessel owner plans to have a DML for only half of the year, a notification requesting a DML be assigned must still be completed by the September date. NMFS will then send a notification to the ETP Vessel Permit holder if a DML has been assigned to a vessel.

**Q24. Are ETP Operator Permit holder training requirements different for a vessel assigned a DML?**

ETP Operator Permit holders must attend and satisfactorily complete training sessions approved by NMFS and maintain proficiency in the performance of procedures. At these trainings, relevant requirements of the MMPA, the Dolphin Protection Consumer Information Act, the IDCP and guidance for preventing harm to marine mammals will be provided. Additional training may be required for operators that are thought to lack proficiency and familiarity with regulatory requirements. When an operator receives a written certificate of completion and possesses a permit, they will not be required to attend additional formal trainings unless the operator fails to renew the permit for the following year (and each year thereafter) or if there are substantial changes in the relevant provisions or implementing regulations of the MMPA or the IDCP, or in fishing gear and technique. For guidance on any additional requirements, contact the DML Contact ([List of NMFS Contacts](#) on Page 10).

**Q25. How is the RVR requirement different for permits that have an assigned DML?**

Vessels with an assigned DML must submit their permit application or other requirements to be on the RVR earlier than vessels without one. If a permit has an assigned DML, all required vessel information and fees must be submitted no later than September 15 in order to be listed on the RVR for the following year (see [50 CFR 300.22\(b\)\(4\)\(i\)](#)).

## List of NMFS Contacts

### **NMFS West Coast Regional Office**

Sustainable Fisheries Division (SFD)

501 W. Ocean Blvd., Suite 4200

Long Beach, CA 90802-4221

Phone: (562) 980-4198

Fax: (562) 980-4047

Website: [www.westcoast.fisheries.noaa.gov](http://www.westcoast.fisheries.noaa.gov)

### **DML, IATTC Observers, and IATTC Regional Vessel Register Contact**

Chris Fanning

Phone: (562) 980-4198

Email: [Chris.Fanning@noaa.gov](mailto:Chris.Fanning@noaa.gov)

### **ETP Captain's Training Workshop Contact**

Justin Greenman

Phone: (562) 980-3264

Email: [Justin.Greenman@noaa.gov](mailto:Justin.Greenman@noaa.gov)

### **Permits Contact**

Shannon Penna

Phone: (562) 980-4238

Email: [Shannon.Penna@noaa.gov](mailto:Shannon.Penna@noaa.gov)

Email: [wcr-permits@noaa.gov](mailto:wcr-permits@noaa.gov)

### **WCPFC Observers Contact**

NMFS Pacific Islands Regional Office

Tom Graham,

Phone: (808) 725-5032

Email: [Tom.Graham@noaa.gov](mailto:Tom.Graham@noaa.gov)

## Acronym List

AIDCP	Agreement on the International Dolphin Conservation Program
CFR	Code of Federal Regulations
DML	Dolphin Mortality Limit
EEZ	Exclusive Economic Zone
EPO	Eastern Pacific Ocean
ETP	Eastern Tropical Pacific Ocean
HMS	Highly Migratory Species
HMS FMP	Highly Migratory Species Fishery Management Plan
IATTC	Inter-American Tropical Tuna Commission
IDCP	International Dolphin Conservation Program
MSA	Magnuson-Stevens Fishery Conservation and Management Act
MMPA	Marine Mammal Protection Act
NMFS	National Marine Fisheries Service
NOAA	National Oceanic and Atmospheric Administration
RVR	Regional Vessel Register
WCPFC	Western and Central Pacific Fisheries Commission

## Glossary

### **Agreement on the International Dolphin Conservation Program (AIDCP)**

The AIDCP is a legally binding agreement that established the formal binding of the International Dolphin Conservation Program and strengthens and replaces the 1992 Agreement on the Conservation of Dolphins.

### **AIDCP-approved observer**

An observer is an individual placed aboard a fishing vessel under the IATTC observer program or any other international observer program in which the United States may participate.

### **Code of Federal Regulations (CFR)**

The Code of Federal Regulations is an annual codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.

### **Dolphin Mortality Limit (DML)**

The maximum allowable number of incidental dolphin mortalities, per calendar year, assigned to a vessel, unless a shorter time period is specified.

### **Exclusive Economic Zone (EEZ)**

The EEZ is an area of the ocean where coastal nations have sovereign rights to exploit, conserve and manage natural resources. The EEZ consists of the area adjacent to the United States which, except where modified to accommodate international boundaries, encompasses all waters from the seaward boundary of each of the territorial sea (generally 12 nautical miles from the coast) to 200 nautical miles (370.40 km) from the baseline from which the territorial sea is measured. For purposes of the Magnuson-Stevens Act, the EEZ is the area between 3 and 200 miles offshore.

### **Eastern Pacific Ocean (EPO)/IATTC Convention Area**

The EPO/IATTC Convention Area is defined as waters bounded by the west coast of the Americas and by 50°N latitude from the coast of North America, 150°W longitude, and 50° S latitude ([50 CFR 300.21](#)).

### **Highly Migratory Species (HMS)**

The term Highly Migratory Species is derived from the United Nations Convention on the Law of the Sea, which references a list of species considered to be highly migratory, by parties to the Convention. Highly migratory species generally have a wide geographic distribution inside and outside countries' 200-mile zones and undertake significant and variable distances across oceans.

### **Highly Migratory Species Fishery Management Plan (HMS FMP)**

The Highly Migratory Species Fishery Management Plan, developed by the Pacific Fishery Management Council and approved and implemented by NMFS, sets domestic policy to manage fisheries for select highly migratory species off the U.S. West Coast, under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (<http://www.pcouncil.org/wp-content/uploads/HMS-FMP-Jul11.pdf>).

### **Inter-American Tropical Tuna Commission (IATTC)**

The IATTC is a regional fishery management organization, comprised of EPO coastal states and nations and fishing entities with vessels that fish for tuna and tuna-like species in the EPO. The purpose of the IATTC is to conduct scientific research on, and to conserve and manage, tuna and other marine resources in the EPO.

### **International Dolphin Conservation Program (IDCP)**

The International Dolphin Conservation Program is the international program that was formalized by the AIDCP, which establishes conservation measures for dolphins applicable to purse seine vessels fishing for tuna and tuna-like species in the EPO. It aims to reduce dolphin mortalities and ensure the long-term sustainability of marine resources, with the consideration of the interrelationships of resources in mind.

### **Magnuson-Stevens Fishery Conservation and Management Act (MSA)**

The Magnuson-Stevens Fishery Conservation and Management Act, also referred to as the "Magnuson-Stevens Act" or "Magnuson Act" for short, is the primary law governing marine fisheries management in U.S. federal waters. The Act establishes a program to ensure the long-term biological and economic sustainability of marine fisheries. The key objectives are to prevent overfishing, rebuild overfished stocks, increase long-term economic and social benefits, and ensure a safe and sustainable supply of seafood.

### **Marine Mammal Protection Act (MMPA)**

The Marine Mammal Protection Act, with some exceptions, prohibits the "take" of marine mammals in U.S. waters and by U.S. citizens on the high seas and the importation of marine mammals and marine mammal products into the United States. For more information, visit <http://www.nmfs.noaa.gov/pr/laws/mmpa/>.

### **National Marine Fisheries Service (NMFS)/NOAA Fisheries**

NMFS, also referred to as NOAA Fisheries, is responsible for the stewardship of the nation's ocean resources and their habitats. NMFS uses science and an ecosystem-based approach to management to provide productive and sustainable fisheries, healthy ecosystems, safe sources of seafood, and the recovery and conservation of protected resources.

### **National Oceanic and Atmospheric Administration (NOAA)**

NOAA is a federal agency under the Department of Commerce whose mission is to understand and predict changes in climate, weather, oceans, and coasts, to share knowledge and information with others, and to conserve and manage coastal and marine ecosystems and resources.

### **Regional Vessel Register (RVR)**

The Regional Vessel Register is a database, maintained by the IATTC Director, of vessels that are authorized or known to fish for tunas and tuna-like species in the eastern Pacific Ocean.

### **Western and Central Pacific Fisheries Commission (WCPFC)**

The WCPFC is a regional fishery management organization for the Western and Central Pacific Ocean, established by the Convention for Conservation and Management of Highly Migratory Fish.