SUMMARY: NMFS proposes to amend the regulations implementing the Fishery Management Plan for the Summer Flounder Fishery (FMP), to reduce reporting requirements for federally permitted dealers, to make it easier for them to comply with remaining reporting requirements, and to improve monitoring of the commercial summer flounder quota.

DATES: Comments must be received on or before June 1, 1995.

ADDRESSES: Comments on the proposed rule or on the proposed Interactive Voice Response system should be sent to Jon Rittgers, Acting Regional Director, National Marine Fisheries Service, Northeast Regional Office, 1 Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope "Comments on Summer Flounder, Dealer Reporting. Comments on the proposed Interactive Voice Response system should also be sent to the Office of Information and Regulatory Affairs, Attention: NOAA Desk Officer, Office of Management and Budget, Washington, D.C. 20503. FOR FURTHER INFORMATION CONTACT:

FOR FURTHER INFORMATION CONTACT: Hannah Goodale, 508–281–9101, or Regina Spallone, 508–281–9221.

SUPPLEMENTARY INFORMATION: The FMP was developed jointly by the Atlantic States Marine Fisheries Commission and the Mid-Atlantic Fishery Management Council in consultation with the New England and South Atlantic Fishery Management Councils. The management unit for the FMP is summer flounder (*Paralichthys dentatus*) in U.S. waters of the Atlantic Ocean from the southern border of North Carolina northward to the U.S.-Canadian border. Implementing regulations for the FMP are found at 50 CFR part 625.

The summer flounder fishery is managed under a quota system. The quota is divided among the coastal states based upon set percentages. Landings must be monitored weekly in order to determine when a state's quota has been reached.

Since 1993, federally permitted summer flounder dealers have been required to report weekly all fish purchases. While several of the species of fish purchased by these dealers are under quota management systems (summer flounder, squid, mackerel, butterfish), only the summer flounder quota requires weekly monitoring at this time. The quotas for the remaining species purchased by these dealers can be adequately monitored through monthly reports. NMFS believes that reporting purchases of all species on a weekly basis is unnecessary and burdensome. Therefore, NMFS proposes

to revise the weekly reporting requirement to make it pertain to summer flounder purchases only. The comprehensive reporting of all fish purchases would be required monthly rather than weekly. This proposed change would reduce the burden associated with the reporting requirement, and, as a secondary benefit, would allow more accurate price information to be collected, since such information is often unavailable to dealers on a weekly basis.

NMFS further proposes to require that the weekly summer flounder purchase report be made via an Interactive Voice Response (IVR) system, rather than by a written report. Dealers would be provided with a toll-free number to call to report weekly purchases of summer flounder using either a touch-tone system or voice mail. An IVR system would make it easier for dealers to comply with the weekly reporting requirement and would be a more efficient method of collecting the data required for weekly monitoring of the commercial summer flounder quota.

NMFS proposes to require dealers to report the following information weekly through the IVR system: Dealer permit number, pounds of summer flounder purchased, week in which summer flounder was purchased, and state(s) of landing for summer flounder purchased. If no summer flounder were purchased during the week, the dealer would be required to make a report so stating through the IVR system. This proposed requirement is less burdensome than the current weekly report. It confines the requirement to summer flounder, and, rather than requiring the purchases to be reported by vessel, it allows dealers to report their weekly summer flounder purchases by state.

Dealers would continue to report the following information monthly on forms supplied by or approved by the Director, Northeast Region, NMFS (Regional Director): Dealer name and mailing address; dealer number; name and permit number, or name and hull number (U.S. Coast Guard Documentation Number or state registration number, as appropriate) of vessels from which fish are landed or received; dates of purchases; pounds by species (by market category if applicable); price by species (by market category if applicable) or total value by species (by market category if applicable); port landed; signature of dealer or other authorized individual; and any other information deemed necessary by the Regional Director. If no fish were purchased during the month, the dealer would be required to make a report so stating on the required form.

Dealers would still have the option of submitting the required information electronically if authorized in writing by the Regional Director.

NMFS also proposes to modify three requirements pertaining to federally permitted dealers. Dealers are currently required to report the Federal permit number of the vessels from which fish are purchased. However, many of the species purchased by dealers are not subject to Federal management and are caught by vessels that hold no Federal permits. This requirement would be modified to indicate that dealers must report either the Federal permit number or the hull number (U.S. Coast Guard Documentation Number or state registration number, as appropriate) of the vessels from which fish are purchased.

The existing monthly dealer report form specifies market categories for many species. NMFS proposes to modify the regulations to clarify that dealers must report species purchased by market category, when applicable.

Dealers are currently required to report price per pound for species purchased. Many dealers have said that it is easier to report the total value of a species purchase rather than the price per pound. NMFS proposes to amend the regulations to make either manner of reporting acceptable.

NMFS also proposes to add a paragraph to the regulations concerning the collection of biological data (fish lengths) and samples (scales and/or otoliths for ageing), which are necessary to characterize the composition of landed catch. While most dealers have historically allowed access to their premises for the collection of these data, NMFS proposes to revise the regulations to make it explicit that federally permitted dealers must allow such access.

In addition, to protect against the unauthorized submission of reports, NMFS proposes to require that all monthly report forms be signed by the dealer or other authorized individual.

Classification

This proposed rule has been determined to be not significant for purposes of E.O. 12866.

This rule is subject to the Paperwork Reduction Act and clarifies or modifies requirements previously approved under OMB Control #0648–0229 (2 minutes per response). The requirement to use an Interactive Voice Response system for weekly reporting has been submitted to OMB for approval. This requirement and the other modifications to existing reporting requirements are expected to slightly reduce or not affect