

**SUPPORTING STATEMENT
NORTHEAST REGION DEALER PURCHASE REPORTS
OMB CONTROL NO.: 0648-0229**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

Executive Summary

This collection of information revises a currently approved requirement set forth by the National Marine Fisheries Service (NMFS) and approved under OMB Control No. 0648-0229. That requirement was extended in 2005 and later revised in 2007 to include an additional sector of the Federal dealer population (hagfish dealers). This collection of information revises the universe of affected Federal dealers to include the 148 Federal lobster dealers currently not subject to Federal dealer reporting requirements. The burdens associated with this information collection are added to the current burdens as previously evaluated for Federal fishery dealer reporting under OMB Control No. 0648-0229.

NMFS is revising this data collection in response to the recommendations of the Atlantic States Marine Fisheries Commission (Commission) in Addendum X to Amendment 3 of the Interstate Fishery Management Plan (ISFMP) for American Lobster. The addendum addresses the concerns of the 2005 Lobster Stock Assessment Peer Review Report regarding the lack of sufficient data for lobster fishery management and stock assessments. The report recommended, in part, that improvements be implemented in the level of fishery dependent data collected on a coastwide basis. This revised data collection is implemented under the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic Coastal Act/ACA) and the data collection parameters are consistent with the current requirements for Federal dealers under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act/MSA).

Initial Basis for Dealer Reporting as Authorized by the MSA

NMFS is responsible for the stewardship of the Nation's living marine resources and their habitats within the United States Exclusive Economic Zone (EEZ). NMFS works to conserve, protect, and manage these resources to ensure their continuation as functioning components of ecosystems, while also affording economic opportunities and enhancing the quality of life for the American public. NMFS's mandates and authorities are derived from numerous statutes, most significantly the MSA, the Endangered Species Act (ESA), the Marine Mammal Protection Act (MMPA), and the ACA.

In an effort to achieve the goals of the MSA, several fisheries are now managed by harvest limits including quotas, annual target total allowable catches (TAC) and domestic annual harvest (DAH) limits. These fisheries often have short fishing seasons and require in-season management measures, such as closures and trip limits, to ensure that harvest levels established in each FMP are not exceeded. Therefore, as more fisheries are being managed by harvest

limits, the timely collection of data from dealers and vessel owners and operators is, and will continue to be, a necessary component of most management regimes, as evidenced in several FMPs.

All Federally-permitted dealers of Atlantic mackerel, squid, butterfish, Atlantic sea scallop, Atlantic surf clam, ocean quahog, Northeast multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, skates, tilefish, Atlantic deep-sea red crab and hagfish must have been issued, and have in their possession, a federal dealer permit in order to purchase such species from fishing vessels. Federally-permitted dealers in the above fisheries are required to submit certain information regarding their fish purchases to NMFS. The reporting requirement currently includes Federal lobster dealers who have also been issued a dealer permit for one or more of the aforementioned species. Trip-level reports provide the comprehensive data necessary for successful long-term management of each fishery. The continuing need for this information is explicit in the management goals and objectives established by the Mid-Atlantic Fisheries Management Council (MAFMC), the New England Fisheries Management Council (NEFMC) and the Commission, as well as in the MSA, the Sustainable Fisheries Act and NMFS Strategic Plan.

Basis for Revision of Lobster Dealer Reporting Requirement to Address the Commission's Lobster ISFMP

The Atlantic Coastal Act establishes the framework for the management and conservation of Atlantic coastal fishery resources through the preparation and adoption of coastal interstate fishery management plans. The plans are developed under the auspices of the Commission, a pact of all the Atlantic coastal states. The Commission coordinates the efforts of the states and the Federal government in implementing and enforcing the management strategies of the coastal fishery management plans. The states take action in furtherance of this strategy in their respective territorial waters (0-3 miles from shore). NMFS is obligated to support the Commission's coastal fishery management efforts in the Exclusive Economic Zone (EEZ), the waters from 3 to 200 miles from shore. In the absence of an approved and implemented FMP under the MSA, and after consultation with the appropriate fishery management councils, NMFS may implement regulations that are: 1) compatible with the effective implementation of a coastal fishery management plans; and 2) consistent with the national standards set forth in section 301 of the MSA.

The American lobster (*Homarus americanus*) resource is managed within the framework of the Commission through an ISFMP that includes several amendments and addenda. To address concerns from the 2005 American Lobster Stock Assessment Peer Review Report, the Commission's Lobster Management Board adopted more comprehensive reporting requirements to include a mandatory Federal lobster dealer reporting program to interface with the current coastwide data collection program utilized by state agencies and NMFS as established by the Atlantic Coastal Cooperative Statistics Program (ACCSP). Since the lobster resource is managed under the authority of the Atlantic Coastal Act, those Federal dealers holding only a Federal lobster permit (and no permits issued under the authority of the MSA) have not been subject to the mandatory dealer reporting requirements in place through the management plans authorized by the MSA. Only those Federal lobster dealers who held permits for species regulated under the MSA were required to report to NMFS all purchases and receipts including

lobster. Therefore, this action will impact the current subset of Federal lobster dealers (n = 148) not previously required to report lobster receipts or purchases to NMFS and will require them to report all lobster purchases consistent with the reporting requirements in place for species managed under the MSA.

This action will revise the current dealer requirements as authorized and implemented under the authority of the MSA and codified in the Federal fishery regulations at 50 CFR 648. However, this revision is authorized under the ACA and will be implemented through the framework of the Federal lobster regulations promulgated under 50 CFR 697. Despite the variation in management authority for the respective actions, the revised requirements dovetail with the current Federal dealer requirements and satisfy the Federal reporting requirements and address the Commission's Addendum X data collection program requirements for dealers. The revision will seamlessly enfold the balance of the federal lobster dealer population into the reporting framework in place for other federal dealers.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Almost every international, federal, state, and local fishery management authority recognizes the value of fisheries statistics collections and uses them as part of their management systems. Fisheries statistics are used by economists, biologists, and managers to develop, monitor, and enforce controls on fishery harvests. Without the fundamental data obtained through this collection of information, NMFS would be unable to meet its statutory requirements under the Magnuson-Stevens Act and other mandates.

The information from this revision will be used by the northeast and mid-Atlantic coastal states, NMFS and the Commission to facilitate the effective management of the lobster resource. The data will also be available for Commission-sanctioned review teams to assess the economic and biological status of the fishery and to monitor the effectiveness of the Commission's ISFMP for American Lobster. The information is also used by state agencies and NMFS for fishery enforcement purposes. It is used by NMFS as a basis of analyses conducted to satisfy the agency's responsibilities under the MMPA, National Environmental Policy Act (NEPA), ESA and other Federal laws.

Mandatory Electronic Dealer Reporting Program

Federal lobster dealers affected by this action will be required to report their trip-level lobster receipts and purchases electronically.

In 2007, NMFS issued 511 Federal lobster dealer permits. Of this total universe of Federal lobster dealers, 148 held only a Federal lobster dealer permit and no other dealer permits. Therefore, these 148 dealers, or about 29 percent of all Federal lobster dealers, are not required under current Federal regulations to report lobster receipts or purchases. The current Federal dealer regulations identify several species managed under the authority of the MSA for which permitted dealers must report purchases. Any dealer issued a Federal dealer permit for one or

more of these identified species must provide electronic trip-level reports for all species purchased to NMFS on a weekly basis. Reports must be received by midnight of the first Tuesday following the end of the reporting week which runs from Sunday through Saturday. Dealers must provide electronic reports (see Question 3 for reporting options).

This action will include the balance of Federal lobster dealers into the mandatory reporting pool to provide a more comprehensive statistical basis for assessing fishery assessment and evaluating the status of the stock. The data will be shared through an online coastal fisheries database, the Standard Atlantic Fisheries Information System (SAFIS). SAFIS is accessed and populated by state and Federal agencies to improve the inter-jurisdictional management of coastal fisheries. Under current requirements, Federal lobster dealer data is already made available through SAFIS and this revision will augment the lobster data included into this system by incorporating data from the entire complement of Federal lobster dealers.

NMFS collects all Federal dealer data electronically, and it is ultimately accessible through the SAFIS system along with dealer data collected by the states for state licensed dealers. However, some state dealer data are not collected on a weekly basis as required at the Federal level and may be loaded onto the SAFIS system only on a monthly basis (Northeast Regional Office Fisheries Statistics Office Staff, personal communication, March 2008). The data elements collected by the states and NMFS may vary, resulting in an incomplete real-time coast-wide landings data set. The infrastructure currently in place is established to handle all dealer reports strictly on an electronic basis with continued movement to facilitate the integration of that data into the SAFIS infrastructure and the Commercial Fisheries Dealer Electronic Reporting Database (CFDERD), managed by the Northeast Fisheries Science Center as the official warehouse for Federal dealer data. Given this long-term electronic dealer data strategy, NMFS believes that any short-term benefits of allowing a relatively small number of dealers to report by non-electronic means would be outweighed by the additional personnel and operational costs associated with data entry, integration and error-checking. Further, fishery management will be compromised because these non-electronic data collections will not be integrated contemporaneously with the electronic data – an issue that is driving the need for mandatory electronic reporting overall.

Consistent with both Addendum X and the current Federal dealer reporting requirements, the revised group of Federal lobster dealers must provide the following information in the trip-level dealer reports: a trip identifier to link the dealer report to a Federal Vessel Trip Report (VTR) when applicable; species quantity (in lbs.) state and port of landing; market grade and category; price per pound and, when applicable, NMFS Statistical Area fished¹.

¹ Although the Commission has requested that the Dealer provide the statistical area fished, this may not always be possible because Federal lobster vessels that do not hold other Federal fisheries permits are not required to submit VTRs for NMFS. In most cases, the dealer report is linked to the VTR via the trip identifier and the area fished is tracked from the dealer permit to the VTR as completed by the harvester. In such cases when a Federal dealer purchases lobster from a harvester not required to submit a VTR, there is no harvester report to link to the dealer report to obtain the area fished data. NMFS believes that the “area fished” data should come from the harvester and not the dealer. Therefore, NMFS will not mandate that dealers provide this data, as it may not be accurate. This data, in some cases, may be obtainable from state vessel reports.

The pounds of lobster purchased provide important economic and biological data for fishery assessments. Price and value are used in estimating the earnings and profitability of each fishing trip by the vessel operator and in regulatory impact reviews and economic input-output models requiring such data to estimate the economic effects of changes induced by the biology or management of the fishery. Special economic studies are conducted to obtain detailed information on specific issues or fisheries when resources are available. It should be noted that both species and price information are necessary for the dealer's own accounting operation; therefore, reporting that information does not constitute an additional reporting burden.

Reporting of null reports by dealers who do not make any purchases during the reporting week allows NMFS to verify compliance, identify non-reporters, and to take the appropriate action in a timely manner without placing an undue burden on the respondents.

It is anticipated that the information collected will be disseminated to the public or used to support publicly disseminated information, subject to the data confidentiality provisions of the Magnuson-Stevens Act. As explained in the previous paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with National Oceanic and Atmospheric Administration (NOAA) standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

Federally-permitted dealers are required to submit detailed electronic reports of all purchases from fishing vessels. Due to the required confidentiality of fish purchase reports, information sent from dealers to NMFS is subject to strict encryption standards and is available only to authorized agency personnel and the submitter. Dealers receive a user name and personal identification number (PIN) that enables them to log onto a secure site (<http://safis.accsp.org>) and submit their reports. Dealers are also allowed to access, review, and edit the information they have submitted using a secure procedure similar to those in common usage throughout the banking industry.

The impetus of this revision, the Commission's ISFMP, does not require that dealer reporting be conducted electronically, only that it be conducted on a mandatory basis. NMFS will require that the reporting be done strictly on an electronic basis, consistent with the current requirements for dealers submitting reports to facilitate the timely receipt and utility of the data. This action will allow NMFS to have the Federal lobster dealer data on hand and updated each week. This will be the first time that such a comprehensive data set for lobster is available for fishery management and stock assessment purposes.

4. Describe efforts to identify duplication.

The implementation of the mandatory lobster dealer reporting requirement is prompted by the Commission's intent to obtain a comprehensive set of landings data for fishery monitoring and assessment in the absence of a mandatory trip-level harvester reporting requirement. Thus, the Commission has mandated that the states implement the mandatory dealer reporting requirement via the SAFIS system. The Commission similarly has requested that NMFS do the same. Although the intent of this requirement is to ensure that all dealers report, a Federal reporting requirement could result in duplication of reporting by dealers who have both state and Federal reporting requirements.

NMFS could, theoretically, accept the dealer data as reported to the states as satisfying the Federal requirement. However, the agency proposes to require dealers to report electronically, while many states will continue to allow paper reporting. The electronic reporting requirement is most desirable since it is more efficient, is consistent with the existing requirements of federal dealer reports, is easily checked for completeness and accuracy, facilitates enforcement of reporting, and requires less processing burden than paper reports. Once Federal electronic reporting requirements for the affected dealers are implemented, some states may alter their respective requirements for state dealers with Federal permits and accept the Federal electronic reports in lieu of a state report. This may be beneficial to all parties including the dealers, the state agencies, the Commission and NMFS since the electronic reports in such cases will ease the processing burden on state agencies and make the upload of the coast-wide dealer data into the SAFIS system more timely and accurate.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

Because all of the dealers who will respond are considered small businesses, separate requirements based on the size of business have not been developed. The dealer electronic reporting system was developed and tested in conjunction with industry members to ensure a system that is functional and useable for their business purposes. The system accommodates, to the extent possible, existing business software application systems that are being used by dealers. The system allows dealers who currently use such applications to upload a data file from their business application to NMFS, minimizing any additional reporting burden. Dealers who choose to keypunch their data directly into the web-based data entry system will be able to use those reports for their own business records.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Gaps in reporting coverage, and inconsistencies in the timing of reporting and data elements collected for the lobster fishery, limit the effectiveness of fishery assessments and subsequent management actions. The dealer purchase reports provide the only source of first-purchase information by Federal lobster dealers. The reports provide critical information on the prices paid for products, the types of products being landed, and the number of dealers involved in the fisheries. If this collection were not conducted, the ability for scientists and managers to

effectively monitor and assess the lobster fishery would be compromised and a complete data set for lobster purchases by Federal lobster dealers would not be available. Lobster, the most valuable fishery on the U.S. east coast with ex-vessel values of \$395 million in 2006 (Fisheries of the US, 2006), is culturally and economically important to fishing communities in the Northeast. In the absence of this collection, this fishery would be the only major fishery in the nation without a mandatory dealer reporting requirement. The economic and social importance of this resource and the specific need for a mandatory dealer reporting program, as identified by the scientific community, will help in the responsible management and sustainability of the lobster resource. Additionally, implementation of this reporting requirement will satisfy the agency's obligations to support the Commission's Lobster ISFMP.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

The data collection is consistent with 5 CFR 1320.6 guidelines except that it requires information to be reported more frequently than quarterly. Dealers will submit trip-level reports on a weekly basis. In the absence of mandatory reporting for harvesters at either the state or federal level, mandatory dealer reports submitted on a weekly basis and in electronic format will provide a more comprehensive data set for the management of the Northeast U.S. lobster fishery; an industry with high economic and cultural importance.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A proposed rule, Regulation Identifier Number (RIN) 0648-AV77, "Atlantic Coastal Fisheries Cooperative Management Act Provisions; American Lobster Fishery," will solicit public comment.

NMFS published an Advance Notice of Proposed Rulemaking (72 FR 53978) on September 21, 2007 to inform the public that the agency was considering implementing a mandatory electronic reporting requirement for Federal lobster dealers. A total of five comments were received in response to the ANPR. The comment period closed on October 22, 2007. The notice requested comments on three general issues: mandatory Federal lobster dealer reporting; changes to maximum carapace length requirements for lobster in several conservation management areas; and a revision to the definition of a v-notched lobster. Four of the five comments were germane to the dealer reporting requirement and are described below.

1. A lobster dealer from Maine wrote in opposition to the mandatory dealer reporting requirement. The commenter stated that this measure would add to the reporting burden already mandated by the state. The commenter requests that NMFS get the data from the state. This dealer purchases lobster from fishermen who drop off their catch on a floating lobster car and lobster are dropped off by fishermen when the dealer is not there,

complicating the ability to garner specific data on where and when the lobster were harvested.

2. Two comments were received from small dealers who oppose the mandatory reporting requirement. One said this measure is redundant because they already report to their state. The other said it will only impact small owner/operator businesses like theirs who are already overburdened with state and federal reporting requirements. Additionally, the dealer information is already reported on the vessel trip reports submitted to NMFS by this lobster permit holder/vessel owner/dealer.
3. The state of Maine responded in opposition to the mandatory dealer reporting measure, indicating that it would impact about 86 small dealers in Maine. The Maine Department of Marine Resources is already collecting trip-level data from dealers on a monthly basis and believes that electronic reporting requirements would be too burdensome on dealers who do not have access to the Internet or to a computer and are now able to provide this data on paper trip tickets to fulfill state requirements. The state believes this federal action could jeopardize the relationship that Maine has fostered with its dealers to facilitate the receipt of lobster landing data.

NMFS understands that this data is being obtained by the states from Federal dealers who are required to report to their respective states which, to some degree, may be duplicative. NMFS, however, sees this as a timely opportunity to obtain the entire set of Federal dealer data in an electronic format. The submission of paper reports to states is cumbersome and not always loaded by the states into the SAFIS system in a timely manner. In fact, some states only require trip-level reports be submitted on a monthly basis at which time, state employees enter in the data. The NMFS reporting protocol, on the other hand, requires trip-level data be submitted on a weekly basis and once received, it is already in the system. NMFS expects that some states may eliminate their paper-based reporting requirements for those state dealers who must report to NMFS on an electronic basis. A full complement of dealer data at the NMFS level will allow for ease in error-checking and compliance checks. It will also load the dealer data into the SAFIS system in a timely manner to the benefit of the states, NMFS, ACCSP clients and the industry.

NMFS realizes that this requirement will largely impact lobster dealers from Maine. However, since these dealers represent the major component of lobster purchases, it is important that their landings be retrieved to ensure the responsible management of the fishery. This is especially important since the majority of Federal vessels that are not subject to VTR reports hail from Maine ports. Many of these vessels sell to Federal dealers who aren't required to submit reports to NMFS under the existing regulations. Therefore, the mandatory dealer reporting requirement will allow for inclusion of these landings in the absence of a mandatory vessel reporting program, which is not required for many Maine-based vessels at the state or Federal level.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

No payment or gift, other than remuneration of contractors or grantees, will be provided to respondents of this collection.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

All data will be kept confidential as required by section 402(b) of the Magnuson-Stevens Act, and will not be released for public use except in aggregate statistical form, without identification as to its source. Logbooks are considered confidential under the Trade Secrets Act as well.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

No sensitive questions are asked.

12. Provide an estimate in hours of the burden of the collection of information.

Table 1.

Calculation of Public and Federal Cost and Burden Estimates						
Information Collection	No. of Respondents	Responses per Year	Total Annual Responses	Avg. Response Time (Hrs)	Total Response Hours	**Annual Labor Cost to Public
Mandatory Federal Lobster Dealer Weekly Reporting	148	52	7,696	0.07 (4 min.)	539	\$10,176
Existing Mandatory Dealer Burden	578	52	30,056	0.07 (4 min.)	2,104	\$39,724
*Existing Voluntary Dealer Burden	50	52	2,600	0.03 (2 min.)	78	\$1,473
Existing Voluntary Dealer Burden (occasional voluntary interviews by field agents)	5	2	10	0.03 (2 min.)	0.3	\$6
TOTAL	781	N/A	40,362	N/A	2,722	\$51, 379

*Some dealers submit reports on a voluntary basis.

** Labor costs based on a respondent wage of \$18.88 per hour.

Dealers required to complete and submit Electronic Dealer Purchase Reports include those permitted in the Atlantic mackerel, squid, butterfish, Atlantic sea scallop, NE multispecies, monkfish, summer flounder, scup, black sea bass, Atlantic bluefish, spiny dogfish, Atlantic herring, Atlantic deep-sea red crab, tilefish, skate, Atlantic surf clam and/or ocean quahog fishery and hagfish. According to data available through the Northeast Region permit database, approximately 578 dealers are permitted for one or more of the fisheries and are, thus, required to report all purchases to NMFS.

As indicated in Table 1, the total current annual reporting burden associated with this collection is estimated at 2,183 hours (2,104 + 78 + 1). This burden assumes an average response time of 4 minutes to populate and submit electronic data files, with the exception of the voluntary reporting, which takes 2 minutes. The reporting burden reflects only the time needed to gather any information needed to complete the reports and submit the data file to NMFS. In addition, it is anticipated that several of the reports submitted will be negative reports and will take less time to complete and transfer.

Specific to this revision, an additional 148 Federal lobster dealers will be required to submit weekly electronic reports. To estimate the burden associated with this revision on the new respondents, the same time and cost burdens are applied as determined for the current population of dealers previously impacted under this measure. Therefore, the burden for the 148 new respondents is 4 minutes (.07 hours) to complete and submit an electronic dealer report each week at \$18.88/burden hour, totaling 539 total annual burden hours at a total annual labor cost of \$10,171. The revised total burden for this collection, then, would be 2,722 hours with overall labor costs equal to \$51,387.

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in #12 above).

Table 2.

Calculation of Cost to Respondents Excluding Respondent Time							
Collection	No. of Respondents	Startup Costs per Respondent (Annualized)	Subtotal Startup Costs	Operating Costs per Respondent (Internet Access)	Subtotal Operating Costs	Total Costs per Respondent	Total Costs All Respondents
Mandatory Federal Lobster Dealer Weekly Reporting	148	\$116	\$17,168	\$652	\$96,496	\$768	\$113,664
Existing Burden	452	\$77	\$34,804	\$652	\$294,704	\$729	\$329,508
TOTAL	600	N/A	\$51,972	N/A	\$391,200	N/A	\$443,172

For this analysis, NMFS estimates the burden based on the worst-case assumption that the newly affected dealers (n = 148) neither own a computer nor have Internet access. These burdens, therefore, may be slightly over-estimated since some dealers may have a computer and Internet access already. Start-up costs for each of those 148 respondents not already in possession of a computer and monitor are \$580, broken down to \$116 per year over a 5-year period to show the annualized start-up costs per respondent (Table 2). For this same group of respondents the annual operating costs are those costs associated with obtaining and maintaining Internet service through either dial-up or cable modem, with an average annual cost of \$652. Based on the average annual start-up and operating costs per respondent of \$116 and \$652 respectively, the total costs are \$768 for each of these 148 respondents. Therefore, the total new costs for this information collection on the 148 new respondents would be \$113,664.

The start-up costs to the current pool of 452 dealers of the 578 respondents already affected by dealer reporting, who did not have computers (and were not already paying Internet costs for general business use) when the reporting requirements were initiated) are adjusted to account for the three years of realized computer payments since the initial mandatory dealer reporting requirement was implemented. The annual costs over five years are \$116 per year for a computer estimated to cost \$580.00. Since three years have passed, the remaining balance is estimated at \$232 per respondent. In Table 2, the balance of the start-up costs is broken down over three years, equal to \$77 per year per respondent. The annual operating costs for Internet service (\$652) are ongoing and unchanged. Therefore, the total cost per respondent for each of the 452 current respondents is \$729 per year (\$77 + \$652). Total costs for all current respondents are \$329,508, reduced from \$347,136 as initially calculated in the original submission. Thus, the total costs for all respondents in this subset of dealers are decreased by \$17,628. When the total new costs (\$113,664) are added to the adjusted costs for the current respondents (\$329,508), the total respondent costs associated with this information collection are \$443,172.

14. Provide estimates of annualized cost to the Federal government.

Table 3.

Costs to Government			
	Maintenance Costs		
Information Collection	Labor	Non - Labor	Totals
Current Electronic Dealer Requirement	\$250, 000	\$20, 500	\$270,500
Additional Burden based on 148 dealers – includes costs to train dealers and process additional reports.	\$59,259	\$12,313	\$71,572

There are some additional costs to the government in requiring an additional 148 Federal lobster dealers to provide weekly electronic dealer reports. These burdens include the staff time and costs associated with processing, correcting, compiling, error checking and submitting the data to SAFIS and the CFDERD system. Additionally, government time and cost burdens are associated with training new dealers to submit electronic reports.

The overall costs to the Government incurred as a result of this action are maintenance costs that would be associated with personnel who currently manage the automated data-collection program. The cost estimates for the Government to handle the responses from the 148 dealers affected by this action are based on cost per response calculated from the estimate of the current reporting requirements.

Labor costs include personnel who would still be utilized on the dealer reporting process after system implementation although their job functions would change to maintenance, troubleshooting, auditing and assistance-providing mode. Limited system support and assistance for dealers is also provided by NMFS. Technical experts may accompany field staff, to the extent possible, on visits to industry and port offices for system troubleshooting and maintenance. The estimated costs per response for labor are \$7.7 per response for 7,696 annual responses, totaling \$59,259 in government labor to assimilate the new dealers into the system. These costs could be less since it is expected that the per response cost of maintaining the data will not be as high since the infrastructure for the system is already in place.

Non-labor maintenance costs include expenses incurred for system upgrades and computer equipment. Using the labor estimates from the previous submission for the current mandatory reporting requirement we can make an estimate of the expected costs of this revision. The non-labor costs of \$20,500 for the 32,666 responses yields a \$1.60 cost per response. In applying that to the 7,696 additional responses expected with this revision, the total non-labor costs to the Government to handle the 148 new dealers is \$12,313.

Therefore, the combined labor and non-labor costs associated with this revision are \$71,572.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB 83-I.

The program change for this action adds the reporting requirements for the 148 dealers. This increases the annual burden by 539 hours and \$113,664. The adjustment to the current burden, a decrease of 17,628, is provided in 14.f.2 of the Form 83i and is based on the decrease in annualized start-up costs as described in response to Question 13, above. The annual operating costs per respondent for Internet service remain unchanged at \$652 per year, bringing the adjusted annual costs for current respondents to \$729 per year. The overall costs for this category of dealers are now adjusted to \$329,508.

16. For collections whose results will be published, outline the plans for tabulation and publication.

Results from these collections may be used in scientific, management, technical, or general informational publications such as Fisheries of the United States (FUS) and in Status of the

Fishery Resources (SFR) off the Northeastern United States, which follow prescribed statistical tabulations and summary table formats. The time schedule for publication of FUS is June of the year following collection. Publication of SFR has usually been in September. Data are available to the general public on request in summary form only and to NMFS Service employees in detailed form on a need-to-know basis only. Aggregate landings and economic data are available on NMFS web-pages as well. This data will also be available for use in future lobster stock assessments and as the basis for fishery management actions.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

Because this collection involves electronic reports, there is no form on which to display an expiration date. However, an expiration date will be displayed in the instructions or cover letter that will be mailed to each permit holder who is required to report purchases through the electronic system. An expiration date will appear on the voluntary reporting paper forms used in this collection of information.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

No exceptions are requested.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.