



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Silver Spring, MD 20910

National Marine Fisheries Service (NMFS) Announces a Final Rule to Require Electronic Dealer (eDealer) Reporting for Atlantic Highly Migratory Species (HMS) Dealers

NMFS is implementing a final rule to require all federally-permitted Atlantic HMS dealers to report receipt of Atlantic sharks, swordfish, and bigeye, albacore, skipjack, and yellowfin (BAYS) tunas to NMFS through an electronic reporting system. At this time, dealers would not be required to report bluefin tuna through this electronic reporting system as a separate reporting system is currently in place for this species.

This final rule would implement the following changes to existing Atlantic HMS dealer reporting requirements for HMS dealers, including:

- Requiring all dealers who purchase commercially-harvested Atlantic sharks, swordfish, and BAYS tunas report to NMFS through an electronic reporting system.
- Requiring HMS dealers to report receipt of Atlantic sharks, swordfish, and BAYS tunas on a weekly basis. We may consider changing the reporting frequency in a future rulemaking as needed for management of Atlantic BAYS, sharks, and swordfish fisheries.*
- Modifying the current regulations with regard to which entity is required to have a dealer permit for purchasing commercially-harvested Atlantic sharks, tunas and swordfish. That is, a person who takes possession for commercial purposes, any BAYS tunas, swordfish, or shark or parts of those species by purchasing, trading, or bartering once it is offloaded from the vessel owner or operator of a fishing vessel will be required to obtain the corresponding federal HMS dealer permit.*
- Allowing a dealer to be authorized to purchase commercially-harvested Atlantic sharks, swordfish, and BAYS tunas *only* if the dealer's reports have been submitted by the dealer and received by us in a timely manner.
- Delaying implementation of the new electronic dealer reporting regulations until 2013 so that we can hold training workshops prior to implementation of the new requirements.

* Reflects measures that changed from the proposed rule to the final rule.

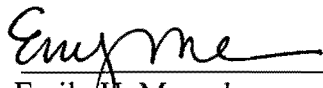
This notice is a courtesy to the HMS fishery participants to help keep you informed about the fishery. Official notice of federal actions is made through filing such notice with the Office of Federal Register. For further information on this final rule and Final Regulatory Flexibility Analysis (FRFA)/Regulatory Impact Review (RIR), contact Delisse Ortiz at (301) 427-8503.



Any questions regarding the eDealer reporting system can be sent to HMS.DealerReports@noaa.gov or called in via (301) 427-8590. Copies of the final rule, FRFA/RIR, and eDealer compliance guide are available upon request from the Highly Migratory Species Management Division, 1315 East-West Highway, Silver Spring, MD 20910 (phone:301-427-8503, fax: 301-713-1917). The information will also be posted on the HMS website at: <http://www.nmfs.noaa.gov/sfa/hms/>.

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Date