

2011 REPORT TO CONGRESS

ON THE DISCLOSURE OF FINANCIAL INTEREST AND
RECUSAL REQUIREMENTS FOR
REGIONAL FISHERY MANAGEMENT COUNCILS
AND
SCIENTIFIC AND STATISTICAL COMMITTEES

PURSUANT TO SECTION 302(j)(9) of the
MAGNUSON-STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

PREPARED BY
U.S. DEPARTMENT OF COMMERCE
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE

2012



TABLE OF CONTENTS

	Page
A. Summary	3
B. Background	3
C. Disclosure of Financial Interest and Recusal Requirements	4
D. Action Taken by the Secretary and the Councils on the Disclosure of Financial Interest and Recusal Requirements	6
Appendix 1: NOAA FORM 88-195, Statement of Financial Interests	
Appendix 2: List of Regional Fishery Management Councils	

A. Summary

Section 302(j)(9) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires the Secretary of Commerce (Secretary) to submit an annual report to Congress beginning January 1, 2008, on action taken by the Secretary and the Regional Fishery Management Councils (Councils) to implement the disclosure of financial interest and recusal requirements of the Magnuson-Stevens Act, including identifying any conflict of interest problems with respect to the Councils and Scientific and Statistical Committees (SSC) and recommendations for addressing any such problems. This is the fifth in the series of such reports, which assesses the efforts and action taken by the Secretary and the Councils in 2011 to meet the requirements of the Magnuson-Stevens Act.

This report also discusses the disclosure of financial interests by a voting member of a Council in accordance with Section 302(b)(2) of the Magnuson-Stevens Act, including individuals nominated for appointment by the Governor of a State, a voting member of a Council appointed by the Secretary in accordance with Section 302(b)(2) or 302(b)(5), and members of an SSC appointed under Section 302(g)(1)(A) as it pertains to reporting, filing, and recusal requirements. Furthermore, this report discusses the actions being taken by the Secretary and the Councils to identify and address conflict of interest issues among the Councils and SSCs.

B. Background

The Magnuson-Stevens Act established eight regional fishery management Councils: New England (NEFMC), Mid-Atlantic (MAFMC), South Atlantic (SAFMC), Gulf of Mexico (GMFMC), Caribbean (CFMC), Pacific (PFMC), North Pacific (NPFMC) and Western Pacific (WPFMC). Councils prepare and submit fishery management plans (FMPs) to the Secretary for fisheries under Council authority that require conservation and management, and any amendments necessary to manage the fisheries consistent with the Magnuson-Stevens Act.

The Magnuson-Stevens Act also specifies that the voting members of each Council are: the principal state official with fishery management responsibility and expertise in each constituent state, who is designated by a governor; NOAA's National Marine Fisheries Service (NMFS) Regional Administrator for the geographic area concerned; public individuals appointed by the Secretary from among nominees submitted by governors of the constituent states; and an individual appointed to the PFMC, from among nominees submitted from a list of tribal governments.

Each Council is required to establish and appoint members to an SSC to provide the Councils ongoing scientific advice for fishery management decisions, including recommendations for acceptable biological catch, preventing overfishing, maximum sustainable yield, and achieving rebuilding targets, and reports on stock status and health, bycatch, habitat status, social and economic impacts of management measures, and sustainability of fishing practices. Members of the SSCs are federal and state employees, academics, or independent experts with scientific or

technical credentials and experience who assist the Councils in the evaluation of biological and other scientific information on issues that come before the Council.

An individual nominated by the governor of a state for appointment as a voting member of a Council, appointed by the Secretary as a voting Council member, or appointed by a Council to an SSC must meet certain financial disclosure requirements.

C. Disclosure of Financial Interest and Recusal Requirements

Disclosing Financial Interests: Reporting and Filing Requirements

Section 302(j)(2) of the Magnuson-Stevens Act requires “affected individuals” (defined in Section 302(j)(1) of the Magnuson-Stevens Act) to disclose any financial interest held by the individual, the spouse, minor child, or partner of that individual; and any organization (other than the Council) in which that individual is serving as an officer, director, trustee, partner, or employee in any harvesting, processing, lobbying, advocacy, or marketing activity that is being, or will be, undertaken within any fishery over which a Council has jurisdiction, or with respect to an individual or organization with a financial interest in such activity. Disclosure of financial interests will also include stocks, ownership interest, or employment with any entity that engages in or that provides services to someone engaged in any harvesting, processing, lobbying, advocacy, or marketing activity.

Affected individuals must disclose any financial interests on NOAA Form 88-195, Statement of Financial Interests (see Appendix 1). Guidance on reporting and filing procedures for complying with financial disclosure requirements are found at 50 CFR 600.235.

An individual who is nominated by the governor of a state for appointment as a voting member of a Council and before appointment by the Secretary must file a Statement of Financial Interests with the Assistant Administrator for Fisheries by April 15, or, if nominated after March 15, one month after nomination by the governor.

An individual who is a voting member of a Council, appointed by the Secretary in accordance with Section 302(b)(2) or (b)(5) who is not subject to disclosure and recusal requirements under the laws of an Indian tribal government, must file a Statement of Financial Interests within 45 days of taking office with the executive director of the Council, and must file an update with the executive director of the Council within 30 days of the time any such financial interest is acquired or substantially changed and by February 1 of each year.

The executive director of the Council will provide copies of all Statements of Financial Interests to the NMFS Regional Administrator, the Regional Attorney who advises the Council, and NMFS’ Office of Sustainable Fisheries. Statements of Financial Interests will be kept on file by each Council, made available on the Council internet site, be available for public inspection at the Council offices during reasonable hours, and be kept on file by NMFS on behalf of the Secretary for use in reviewing determinations under Section 302(j)(7).

An individual who is appointed to an SSC in accordance with Section 302(g)(1) of the Magnuson-Stevens Act must file a Statement of Financial Interests with the Regional Administrator, on behalf of the Secretary, which will be kept on file by NMFS.

Voting Requirements and Financial Conflicts of Interest

An affected individual required to disclose a financial interest under 302(j)(2) of the Magnuson-Stevens Act shall not vote on a Council decision that would have a “significant and predictable effect” on a financial interest disclosed on his or her Statement of Financial Interests. In accordance with Section 302(j)(7) of the Magnuson-Stevens Act, a Council decision shall be considered to have a significant and predictable effect on a financial interest if there is a close causal link between the decision and an “expected and substantially disproportionate benefit” to the member’s financial interest. In accordance with regulations at 50 CFR 600.235(c)(3), an “expected and substantially disproportionate benefit” means a quantifiable positive or negative impact with regard to a matter likely to affect a fishery or sector of the fishery in which the affected individual has a significant interest, as indicated by:

- (a) a greater than 10 percent interest in the total harvest or the sector of the fishery under consideration by the Council;
- (b) a greater than 10 percent interest in the marketing or processing of the total harvest or the sector of the fishery under consideration by the Council; or
- (c) full or partial ownership of more than 10 percent of the vessels using the same gear type within the fishery, or the sector of the fishery, under consideration by the Council.

Although an affected individual may not vote, he or she may participate in Council deliberations relating to the decision after notifying the Council of the voting recusal and identifying the financial interest that would be affected.

At the request of an affected individual, or at the initiative of an appropriate designated official,¹ the designated official shall make a determination for the record as to whether a Council decision would have a “significant and predictable effect” on a financial interest (50 CFR 600.235(f)). Within 10 days, any Council member may submit a written request to the Secretary to review any determination made (50 CFR 600.235(g)(1)). The review of the determination must be completed within 30 days (50 CFR 600.235(g)(4)). Any affected individual who does not vote on a Council decision in accordance with Section 302(j)(7) may state for the record how he or she would have voted.

It is expected that SSC members maintain a high standard of conduct. Questions regarding conflict of interest requirements for SSC members should be addressed to the NOAA Regional Attorney who advises the Councils.

¹Designated official is a person with expertise in federal conflict-of-interest requirements who is designated by the Secretary, in consultation with the Council, to attend Council meetings and make determinations under paragraph 302(7)(B) of the Act. In practice, this has been the NOAA Regional Attorney who advises the Council.

D. Action Taken by the Secretary and the Councils on the Disclosure of Financial Interest and Recusal Requirements

To gather information needed to meet the requirements of Section 302(j)(9) to provide this report, the Assistant Administrator for Fisheries requested that each NMFS Regional Administrator and Council provide the following information on efforts in 2011 to meet the requirements of the reauthorized Magnuson-Stevens Act:

(a) Action taken by each Council on implementing the requirements of the Magnuson-Stevens Act, including Committees and Advisory Panels, and Disclosure of Financial Interest and Recusal. Following is a summary of each Council's actions.

The NEFMC continues to receive and make available to the public completed Statements of Financial Interests for Council members appointed by the Secretary. The Council has updated its Statement of Organization, Practices and Procedures, which incorporate reauthorized Magnuson-Stevens language that addresses the role and use of the SSC. The Council requested annual Statements of Financial Interests from its SSC members. Completed Statements of Financial Interests for SSC members have been provided to NMFS, on behalf of the Secretary, to be kept on file. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the NEFMC's internet site.

The MAFMC continues to receive and make available to the public completed Statements of Financial Interests for Council members appointed by the Secretary. The Council requested annual Statements of Financial Interests from its SSC members. Completed Statements of Financial Interests for SSC members have been provided to NMFS, on behalf of the Secretary, to be kept on file. The MAFMC posted Statements of Financial Interests for voting council members appointed by the Secretary on its internet site. Although not a requirement, the Council has also posted SSC Statements of Financial Interests on its internet site.

The CFMC has modified its Statement of Organization Practices and Procedures (SOPP) to incorporate reauthorized Magnuson-Stevens Act language, and discussed the new requirements with both SSC and Council members. The Council requested annual Statements of Financial Interests from its SSC members. Completed Statements of Financial Interests for SSC members have been provided to NMFS, on behalf of the Secretary, to be kept on file. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the CFMC's internet site and are available at each Council meeting.

The SAFMC has taken all necessary actions to address Section 302(g) and (j) of the Magnuson-Stevens Act. The Council requested annual Statements of Financial Interests from its SSC members. Completed Statements of Financial Interests for SSC members have been provided to NMFS, on behalf of the Secretary, to be kept on file. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the SAFMC's internet site, and are available for examination at the Council office and at all Council meetings.

The GMFMC has obtained Statements of Financial Interests from affected individuals cited in Section 302 (g) and (j) of the Magnuson-Stevens Act. Statements of Financial Interests for

voting council members appointed by the Secretary have been posted on the GMFMC's internet site.

The PFMC requested annual Statements of Financial Interests from its Council members and SSC members. Statements of Financial Interests for voting council members appointed by the Secretary continue to be posted on the PFMC's internet site.

The NPFMC continues to receive and make available to the public completed Statements of Financial Interests for Council members appointed by the Secretary. The Council requested annual Statements of Financial Interests from its SSC members, Completed Statements of Financial Interests for SSC members have been provided to NMFS, on behalf of the Secretary, to be kept on file. Although not a requirement, the NPFMC has also posted SSC Statements of Financial Interests on its internet site. Statements of Financial Interests for voting council members appointed by the Secretary have been posted on the NPFMC's internet site and are available at each Council meeting.

The WPFMC requested annual Statements of Financial Interests from its SSC members. Completed Statements of Financial Interests for SSC members have been provided to NMFS, on behalf of the Secretary, to be kept on file. The WPFMC posted Statements of Financial Interests for voting council members appointed by the Secretary on its internet site.

(b) Documentation of any time a voting Council member recuses himself or herself from a vote, the reason given, and any other relevant circumstances, per 50 CFR 600.235(d).

The MAFMC, SAFMC, GMFMC, NPFMC, and WPFMC indicate no recusals.

NEFMC Meeting – At the Council's April 28, 2011 meeting, Council member Mary Beth Tooley recused herself from voting on Motion 3A to select the final alternative for Framework Adjustment 46 to the Northeast Multispecies FMP and Motion 4 to submit the framework to NMFS for approval. The framework changed the amount of haddock that herring vessels are allowed to catch as bycatch. Council member Tooley recused herself from voting because she is employed by a firm that operates mid-water trawl vessels that fish for herring.

CFMC Meeting – At the 141st Council meeting, Council member Winston Ledee recused himself from voting on the motion to support the yellow tail tagging study for the St. Thomas Fishermen's Association with no more than \$20,000.00. Council member Ledee recused himself from voting because of his potential participation in the project.

PFMC Council Meetings – At the Council's June 2011 meeting, Council member Rod Moore recused himself from voting on Motion 43 to appoint Ms. Susan Chambers to the processor at-large position on the Groundfish Advisory Subpanel. Council member Moore recused himself from voting because he is employed by an organization in which the company that employs Ms. Chambers is a member.

At the PFMC's November 2011 meeting, Council member Dale Myer recused himself from voting on Motion 25 which provided guidance as to the priority and timing of implementing

certain trailing actions to the Council's trawl rationalization program, which included items affecting the Pacific whiting sector of the fishery in which Council member Myer is employed.

(c) Documentation of any Council member requests for determination for the need for a recusal by that Council member, and the results of that determination, per 50 CFR 600.235(f)(1).

The Councils indicate no occurrences.

(d) Documentation of any requests for determination on recusals of a Council member based on information provided to a designated official and the results of that determination, per 50 CFR 600.235(f)(3).

The Councils indicate no occurrences.

(e) Documentation of any requests for review of a determination and the results of that review per 50 CFR 600.235(g).

The Councils indicate no occurrences.

(f) Any circumstances where a Council member's NOAA Form 88-195, Statement of Financial Interests, was found to be in error, the circumstances relevant to the error, and its resolution.

The Councils indicate no occurrences.

(g) Any instances of Council member resignations or removal due to concerns about disclosure of financial interests or recusal and circumstances relevant to each occurrence.

The Councils indicate no occurrences.

(h) Any similar instances to the above regarding SSC members.

The Councils indicate no occurrences.

Action taken by the Secretary and the Councils

(a) The Secretary continues to make NOAA Form 88-195, Statement of Financial Interests, available to the Councils for use by the SSC members and voting members of the Councils appointed by the Secretary in an electronically fillable format.

(b) The Councils continue to make Statements of Financial Interests for voting council members appointed by the Secretary available for public viewing at Council offices and at Council meetings at reasonable hours, and available on Council internet sites.

(c) The Secretary continues to ensure Statements of Financial Interests are completed by SSC members and provided to NMFS to be kept on file. Although not a requirement under the

Magnuson-Stevens Act, some of the Councils post SSC Statements of Financial Interests on their internet sites.

(d) The Secretary continues to ensure that all Statements of Financial Interests completed by voting council members appointed by the Secretary are posted on Council internet sites, and ensure that copies are forwarded to appropriate NMFS offices and the Office of General Counsel, Department of Commerce.

STATEMENT OF FINANCIAL INTERESTS

For Use By Voting Members of, and Nominees to, the Regional Fishery Management Councils,
and Members of the Scientific and Statistical Committee (SSC)

Authority to Require this Information

Section 302(j) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) and the financial disclosure regulations at 50 C.F.R. 600.235 require that “affected individuals” must meet certain financial disclosure requirements. In Section 302(j)(1) of the Magnuson-Stevens Act, the term “affected individual” means an individual who is nominated by the governor of a state for appointment as a voting member of a Council in accordance with Section 302(b)(2); or who is a voting member of a Council appointed in accordance with Section 302(b)(2); or Section 302(b)(5) who is not subject to disclosure and recusal requirements under the laws of an Indian tribal government. The reauthorization of the Magnuson-Stevens Act, at Section 302(g)(1)(D) also requires that each member of an SSC be treated as an “affected individual,” but only for the purposes of paragraphs (2), (3)(B), (4), and (5)(A) of Section (302)(j).

Financial interest in harvesting, processing, lobbying, advocacy or marketing (1) includes:

- (i) Stock, equity, or other ownership interests in, or employment with, any company, business, fishing vessel, or other entity or employment with any entity that has any percentage ownership in or by another entity engaging in any harvesting, processing, lobbying, advocacy, or marketing activity in any fishery under the jurisdiction of the Council concerned;
- (ii) Stock, equity, or other ownership interests in, or employment with, any company or other entity or employment with any entity that has any percentage ownership in or by another entity that provides equipment or other services essential to harvesting, processing, lobbying, advocacy, or marketing activities in any fishery under the jurisdiction of the Council concerned, such as a Chandler or a dock operation.
- (iii) Employment with, or service as an officer, director, or trustee of, an association whose members include companies, vessels, or other entities engaged in any harvesting, processing, lobbying, advocacy, or marketing activities, or companies or other entities providing services essential to harvesting, processing, lobbying, advocacy, or marketing activities in any fishery under the jurisdiction of the Council concerned; and
- (iv) Employment with an entity that has any percentage ownership in or by another entity providing consulting, legal, or representational services to any entity engaging in, or providing equipment or services essential to, harvesting, processing, lobbying, advocacy, or marketing activities in any fishery under the jurisdiction of the Council concerned, or to any association whose members include entities engaged in the activities described in paragraphs (1) (i) and (ii) of this definition.

Reporting and Filing Requirements

The Magnuson-Stevens Act requires the disclosure of any financial interest in harvesting, processing, lobbying, advocacy, or marketing activity that is being, or will be undertaken within any fishery over which the Council concerned has jurisdiction. An affected individual must disclose such financial interest held by that individual; the affected individual’s spouse, minor child, partner; or any organization (other than the Council) in which that individual is serving as an officer, director, trustee, partner, or employee. The information required to be reported must be disclosed on NOAA Form 88-195, or such other form as the Secretary may prescribe. The Financial Interest Form must be filed by each nominee for Secretarial appointment with the Assistant Administrator by April 15 or, if nominated after March 15, 1 month after nomination by the Governor. A seated voting member appointed by the Secretary must file a Financial Interest Form with the Executive Director of the appropriate Council within 45 days of taking office; must file an update of his or her statement with the Executive Director of the appropriate Council within 30 days of the time any such financial interest is acquired or substantially changed by the affected individual or the affected individual’s spouse, minor child, or partner, or any organization (other than the Council) in which that individual is serving as an officer, director, trustee, partner, or employee; and must update his or her form annually and file that update with the Executive Director of the appropriate Council by February 1 of each year regardless of whether any information has changed on that form. The Executive Director must in a timely manner, provide copies of and updates to the Financial Interest Forms of appointed Council members to the NMFS Regional Administrator, the Regional Attorney who advises the Council, and the NMFS’ Office of Sustainable Fisheries. These completed financial interest forms shall be kept on file in the Office of the NMFS Regional Administrator and at the Council offices, and shall be made available for public inspection at such offices during normal office hours. In addition, the forms shall be made available at each Council meeting or hearing and shall be posted for download from the Internet on the Council’s website. Councils must retain the Financial Interest Form for a Council member for at least 5 years after the expiration of that individual’s last term.

An individual being considered for appointment to an SSC must file the Financial Interest Form with the Regional Administrator for the geographic area concerned within 45 days prior to appointment. A member of the SSC must file an update of his or her statement with the Regional Administrator for the geographic area concerned within 30 days of the time any such financial interest is acquired or substantially changed by the SSC member or the SSC member’s spouse, minor child, partner, or any organization (other than the Council) in which that individual is serving as an officer, director, trustee, partner, or employee; and must update his or her form annually and file that update with the Regional Administrator by February 1 of each year. The Regional Administrator shall maintain on file the Financial Interest Forms of all SSC members for at least 5 years after the expiration of that individual’s term on the SSC. Such forms are not subject to section 302(j)(5)(B) and C of the Magnuson-Stevens Act.

Items to Report on NOAA Form 88-195, "Statement of Financial Interests:

Specific information must be disclosed for each relevant financial interest or relationship that may call into question whether there may be conflict of interest between (1) your financial interests and relationships and (2) your Council related actions and activities. The information to be listed does not require a showing of the amount of financial interest, but does require complete disclosure of any and all types of financial interest relationships in any fishery under the jurisdiction of the Council concerned.

In the event any of the required information, including holdings placed in trust, is not known to you but is known to another person, you should request that other person to submit the information on your behalf and should report such request in the section titled "Information Requested of Other Persons" on NOAA Form 88-195.

If you have no financial interest to disclose, please complete and check the appropriate boxes on the last page of the NOAA Form 88-195 "Statement of Financial Interests" and return.

Name of Individual: Include yourself, your spouse, a minor child or partner. *(If not yourself, your relationship to individual.)*

Entity Name/Full Address: Include name and full address of a company, business, fishing vessel, other entity or relationship. *(Entities may include: affiliations, associations, cooperatives, corporations, organizations, universities, etc.).*

Description/Relationship of Financial Interest: Include a description of the financial interest and the relationship (*marketing, processing, guide, charter, consultant, contractor*); degree of ownership (percentage) or share holdings or any other monetary or in-kind enumeration of a company, business, fishing vessel, other entity or relationship; directorship of, or employee of, a company, business, organization, other entity or relationship; contracted relationship; contributions to advocacy organizations; and the initial date the financial interest or relationship began.

Fisheries of Interest/Gear Type: Identify the fishery associated with this particular financial interest or relationship, the gear type utilized, and the product type produced (*fresh, frozen, filleted, canned*).

Examples:

(1) *If you own a one-third interest in a fishing vessel, your response should include:*

Name: John Doe	Council: New England Council	Committee:
Name of Individual (If not yourself, your relationship to individual.) John and Mary Doe (Joint ownership)		
Entity Name/Full Address	Description/Relationship of Financial Interest	Fisheries of Interest/Gear Type
Entity: Miss Amy Inc. Full Address City, State 00000	Commercial fishing vessel, harvester one-third interest by myself and my spouse Date Began: 3/2000	Atlantic Herring Trawl Product Produced: fresh

(2) *If your spouse is employed by a State government agency involved in the Council process and you have contracted with NMFS for stock assessment research, your response should include:*

Name: John Doe	Council: New England Council	Committee:
Name of Individual (If not yourself, your relationship to individual.) Mary Doe (Spouse)		
Entity Name/Full Address	Description/Relationship of Financial Interest	Fisheries of Interest/Gear Type
Entity: EFG Agency Full Address City, State, 00000	Agency involved in Council process Biologist Date Began: 2000	All Species
Name of Individual (If not yourself, your relationship to individual.) John Doe		
Entity Name/Full Address	Description/Relationship of Financial Interest	Fisheries of Interest/Gear Type
Other Entity or Relationship: NMFS Full Address City, State 00000	Produce stock assessment Contractor Date Begun: 2004	Orange rockfish

Name:	Council:	Committee:
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Name of Individual (If not yourself, your relationship to individual.)

Entity Name/Full Address	Description/Relationship of Financial Interest	Fisheries of Interest/Gear Type
Entity:	Date Began:	Product Produced:
Other Entity/Relationship:	Date Began:	Product Produced:

Name of Individual (If not yourself, your relationship to individual.)

Entity Name/Full Address	Description/Relationship of Financial Interest	Fisheries of Interest/Gear Type
Entity:	Date Began:	Product Produced:
Other Entity/Relationship:	Date Began:	Product Produced:

Name of Individual (If not yourself, your relationship to individual.)

Entity Name/Full Address	Description/Relationship of Financial Interest	Fisheries of Interest/Gear Type
Entity:	Date Began:	Product Produced:
Other Entity/Relationship:	Date Began:	Product Produced:

Information Requested of Other Persons. In the event any of the required information, including holdings placed in trust, is not known to you but is known to another person, you should request that other person to submit the information on your behalf and should report such request in the section below.

Name and Address	Date of Request	Nature of Subject Matter

CHECK BOX, IF YOU HAVE NO APPLICABLE INFORMATION TO DISCLOSE

Position/Type of Filing:

- | | |
|--|---|
| <input type="checkbox"/> Council Nominee | <input type="checkbox"/> Original filing |
| <input type="checkbox"/> Council Member | <input type="checkbox"/> Annual filing |
| <input type="checkbox"/> SSC Member | <input type="checkbox"/> Supplementary filing |

Certification

I certify that the statements I have made are true complete and correct to the best of my knowledge and belief. I understand that if during the period of my appointment, I undertake new employment, I must promptly file an amended statement, and I must also report any new financial interests acquired during this period. I also certify that I am currently familiar with the statutes, regulations, and policies governing my responsibilities and conduct as applied to the duties I am assigned.

Printed Name: _____

Council/Committee: _____

Signed: _____

Dated: _____

Requests for Assistance or Additional Information

Refer to the financial disclosure regulations at 50 C.F.R. 600.235 for additional information. If you have any questions regarding the Statement of Financial Interests or related issues, please contact the Office of the Assistant General Counsel for Administration, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Room 5882, Washington, D.C. 20230, or telephone (202) 482-5384.

Paperwork Reduction Act

Notwithstanding any other provision of law, no person is required to respond to nor shall a person be subject to a penalty for failure to comply with a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a currently valid OMB Control Number. The public reporting burden for this collection of information, on this NOAA Form 88-195, is estimated to average 35 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden to the National Marine Fisheries Service, Office of the Chief Information Officer (F/CIO), 1315 East-West Highway, SSMC #3, 3rd Floor, Silver Spring, Maryland 20910.

Public Access to Information

The Statement completed by voting members of the Regional Fishery Management Councils will be retained by the Council, made available on the Council Internet Site, and made available for public review at reasonable hours at the Council Office, and at each public hearing or public meeting.

APPENDIX 2 – REGIONAL FISHERY MANAGEMENT COUNCILS

<p><u>New England Fishery Management Council</u> (Constituent States: CT, MA, ME, NH, RI) http://www.nefmc.org Paul J. Howard, Executive Director 50 Water Street, Mill 2 Newburyport, Massachusetts 01950 Ph: 978-465-0492/Fax: 978-465-3116</p>	<p><u>Mid-Atlantic Fishery Management Council</u> (Constituent States: DE,MD,NC,NJ,NY,PA,VA) http://www.mafmc.org Christopher M. Moore, Executive Director 800 North State Street, Suite 201 Dover, Delaware 19901 Ph: 302-674-2331 or 877-446-2362/Fax: 302-674-5399</p>
<p><u>South Atlantic Fishery Management Council</u> (Constituent States: FL, GA, NC, SC) http://www.safmc.net Robert K. Mahood, Executive Director 4055 Faber Place Drive, Suite 201 N. Charleston, South Carolina 29405 Ph: 843-571-4366 or 866-723-6210/Fax: 843-769-4520</p>	<p><u>Caribbean Fishery Management Council</u> (Constituent States: PR, VI) http://www.caribbeanfmc.com Miguel A. Rolón, Executive Director 268 Muñoz Rivera Ave., Suite 1108 San Juan, Puerto Rico 00918 Ph: 787-766-5926 /Fax: 787-766-6239</p>
<p><u>Gulf of Mexico Fishery Management Council</u> (Constituent States: AL, FL, LA, MS, TX) http://www.gulfcouncil.org Stephen Bortone, Executive Director 2203 N. Lois Avenue, Suite 1100 Tampa, Florida 33607 Ph: 813-348-1630 or 888-833-1844/Fax: 813-348-1711</p>	<p><u>Pacific Fishery Management Council</u> (Constituent States: CA, ID, OR, WA) http://www.pcouncil.org Donald O. McIsaac, Executive Director 7700 NE Ambassador Place, Suite 101 Portland, Oregon 97220 Ph: 503-820-2280 or 866-806-7204/Fax: 503-820-2299</p>
<p><u>North Pacific Fishery Management Council</u> (Constituent States: AK, WA, OR) http://www.alaskafisheries.noaa.gov/npfmc Chris W. Oliver, Executive Director 605 West 4th Avenue, Suite 306 Anchorage, Alaska 99501 Ph: 907-271-2809/Fax: 907-271-2817</p>	<p><u>Western Pacific Fishery Management Council</u> (Constituent States: AS, GU, HI, CNMI) http://www.wpcouncil.org Kitty M. Simonds, Executive Director 1164 Bishop Street, Suite 1400 Honolulu, Hawaii 96813 Ph: 808-522-8220/Fax: 808-522-8226</p>