

**BID SUBMISSION
FISHING CAPACITY REDUCTION PROGRAM
FOR
NORTHEAST MULTISPECIES FISHERY**

I. PURPOSE: The purpose of this Bid is to enable eligible persons (Bidders) to submit an irrevocable offer (Bid) to the United States to permanently reduce the fishing capacity in the Northeast Multispecies Fishery by reducing the number of Northeast multispecies limited access fishing permits through the voluntary and permanent surrender and revocation of Northeast multispecies limited access fishing permits and the multispecies fishing history associated with the permits in consideration of the receipt of a reduction payment (Reduction Payment).

II. IRREVOCABLE OFFER: Do not complete and submit this Bid unless it is your intention to create an irrevocable offer to the United States for the permanent revocation and surrender of your Northeast multispecies limited access fishing permit. Bidders are solely responsible for being aware of and understanding the full legal effects and implications of the submission of a Bid. Upon acceptance of a Bid by the United States, a Reduction Contract will be formed between the Bidder and the United States.

III. INSTRUCTIONS: To submit a Bid for the surrender and revocation of your Northeast multispecies limited access fishing permit, complete all sections of this Bid form. All signatures must be notarized to be valid. A Bid that does not contain the signatures of all required parties, that fails to provide all required information or that is in any way unresponsive or not in conformity with the Federal Register notice (66 FR 65454, December 19, 2001) and applicable law may be rejected. Rejections are conclusive and final as of the date of rejection and are not subject to appeal. If any such deficiencies in a Bid are discovered, prior to rejection, the National Marine Fisheries Service (NMFS) may, at its sole discretion, contact any Bidder in an attempt to correct a Bid deficiency. Submit completed Bids to the following address:

**FCRP - Buyback
National Marine Fisheries Service
One Blackburn Drive
Gloucester, MA 01930**

IV. PENALTIES: Bidder and all Co-Parties agree and acknowledge that the submission of any Bid in a manner that is intentionally not in conformity with the Federal Register notice and applicable law will subject the Bidder and Co-Parties to substantial penalties. Bidders should make themselves fully aware of these penalties. A false statement on any application material is grounds for denial or termination of funds and grounds for punishment by a fine or imprisonment (18 U.S.C. 1001).

Read and Complete Both Sides of the Form

V. BID ACCEPTANCE: In accordance with the exact terms and conditions of the Federal Register notice and applicable law, acceptance of this Bid by NMFS will create an irrevocable reduction contract between the United States and the accepted Bidder, subject to the express condition subsequent involving reduction loan repayment fee approval. Upon acceptance of a Bid, the Reduction Contract may, upon breach of a Reduction Contract term, be specifically enforced, as provided by applicable law.

VI. BIDDER CONSENT AND ACKNOWLEDGMENT: Bidder and Co-Party(s) acknowledge that, prior to the submission of this Bid, they have fully and completely reviewed the Federal Register notice and applicable law and expressly represent to the United States that they fully understand the legal import and consequences of a Bid submission and are aware of and consent to any and all remedies available upon the breach of the Reduction Contract or as a result of other unlawful action such as, but not limited to, the submission of a Bid that is intentionally not in conformity with applicable law.

VII. DATES AND DEADLINES: Bids submitted in response to the Federal Register notice are subject to the following dates and deadlines.

1. **BID OPENING DATE: January 18, 2002.** This is the first date on which eligible Bidders may submit Bids. Any Bids received prior to the Bid opening date are invalid;
2. **BID CLOSING DATE: February 19, 2002.** This is the last date upon which NMFS must receive Bids from eligible bidders. Any Bids received after the Bid closing date will not be considered and are rejected.

VIII. LIENS: Prior to the receipt of any reduction payment, the Bidder must certify to the United States that the Bidder has notified all individuals or entities that have an existing or potential lien claim against the permit. Further, the Bidder agrees and consents to indemnify and hold harmless the United States from any claim asserted for damages, as a result of the Bidder's surrender of the permit, by any individual or entity that may have an existing or potential lien against the permit.

IX. DISPUTES: Any and all disputes arising in connection with the Fishing Capacity Reduction Program, including, but not limited to, the Federal Register notice, this Bid or the Reduction Contract shall in all respects be governed by the federal laws of the United States and Bidders and all other parties to the Reduction Contract irrevocably submit themselves to the jurisdiction of the federal courts of the United States and/or to any other federal administrative body authorized to adjudicate such disputes, as set forth under applicable law.

Read and Complete Both Sides of the Form

**National Marine Fisheries Service
FCRP Buyback
One Blackburn Drive
Gloucester, MA 01930**

Burden Estimate Statement: Public reporting burden for this collection of information is estimated to average 4 hours 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 other aspect of this collection of information, including suggestions for reducing this burden, to the National Marine Fisheries Service, F/NER4, 1 Blackburn Drive, Gloucester, MA 01930-2298.

1. BIDDER INFORMATION:	
Name of Bidder	
Address of Record	
Telephone Number	
Electronic Mail	

2. Northeast Multispecies Limited Access REDUCTION PERMIT INFORMATION:	
Northeast Multispecies Limited Access Permit Number (attach copy Permit)	
Name of Permit Holder (Bidder must be the legal owner/holder of the Reduction Permit)	

3. VESSEL (the vessel which currently is or was in the case of a permit presently in Confirmation of Permit History status) FISHING HISTORY INFORMATION:	
Name of Vessel	
Official Number or State Registration Number	

Read and Complete Both Sides of the Form

4. BID AND IRREVOCABLE OFFER: In compliance with applicable law and the Federal Register Notice provided to Bidder, Bidder submits a Bid Price of:

----- United States dollars. \$ -----
(write out the bid amount) (numerals)

as an irrevocable offer to the United States for the permanent revocation and surrender of Northeast multispecies limited access fishing permit and the multispecies fishing history associated with the permit, all as identified in this Bid or as required under applicable law. Bidder acknowledges that the acceptance of this Bid by the United States and tender of the Reduction Payment to Bidder in the amount of the Bid will, among other things, impose/create other legal and contractual restrictions and obligations that revoke/affect the Reduction, as more fully set forth in the Federal Register Notice and applicable law.

BIDDER SIGNATURE MUST BE NOTARIZED

DATE:	
BIDDER SIGNATURE:	
PRINT NAME OF BIDDER:	
TITLE OF BIDDER:	

TO BE COMPLETED BY NOTARY PUBLIC

Subscribed before me this _____ day of _____, 2002

Read and Complete Both Sides of the Form

SIGNATURE:	
COUNTY, STATE	
My commission expires:	