NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
NATIONAL MARINE FISHERIES SERVICE
NATIONAL APPEALS OFFICE

In re Application of [redacted] Appellant	))))))))	Appeal No. 11-0050 ORDER DENYING MOTION for RECONSIDERATION

On August 19, 2011, the undersigned issued the Decision in this appeal. On August 26, 2011, Appellant responded to the decision. I construe Appellant's August 26, 2011 response as a Motion for Reconsideration.

Pursuant to the National Appeals Office (NAO) policy, a motion for reconsideration must state material matters of law or fact Appellant believes the Administrative Judge misunderstood or overlooked and must contain an argument, or points and authorities, in support thereof.[1] In his motion for reconsideration, Appellant argues that by not accepting his appeal after changing the format of logbooks in the middle of the qualifying period, and by not accepting his testimony as to the cause of his untimely application, justice is not recognized in the matter. However, after carefully reviewing Appellant's entire file, as well as, the Decision in this case, and Appellant's Motion for Reconsideration, I conclude that the Decision does not contain material errors of law or fact. As stated in the Decision, under the CHLAP regulations, neither RAM or NAO is authorized to accept late applications. Accordingly, I deny Appellant's Motion for Reconsideration.

The new effective date of the Decision is November 14, 2011subject to the Regional Administrator's review.[2]

[redacted]

Eileen G. Jones
Chief Administrative Judge

Date Issued: October 13, 2011

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[1] http://www.fakr.noaa.gov/appeals/reconsiderationpolicy.htm
[2] http://www.fakr.noaa.gov/appeals/reconsiderationpolicy.htm; 50 C.F.R. §679.43(o).