



# ETHICS RULES FOR FISHERY MANAGEMENT COUNCILS



New England



Mid-Atlantic



South Atlantic



Caribbean



Gulf of Mexico



Pacific



Western Pacific



North Pacific



# ETHICS

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# VOTING MEMBERS

- Public Members (nominated by Governor and appointed by the Secretary of Commerce);
- Regional Director of National Marine Fisheries Service; and
- Principal State official

# **PUBLIC MEMBERS**

- Subject to Federal conflict of interest statutes
- Must file Statement of Financial Interests (NOAA Form 88-195)

# **NOAA FORM 88-195**

Report any financial interest (including spouse or minor child's interest) in any harvesting, processing, lobbying, advocacy, or marketing activity

# NOAA FORM 88-195

REPORT ANY STOCK, OWNERSHIP INTEREST, OR EMPLOYMENT WITH:

- Any entity that engages in harvesting, processing, marketing, lobbying, or advocacy
- Any affiliates of the above entities

# NOAA FORM 88-195

REPORT ANY STOCK, OWNERSHIP INTEREST, OR EMPLOYMENT WITH:

- Any entity that provides equipment, services, or consulting or legal services to any entity engaged in in harvesting, processing, marketing, lobbying, or advocacy

# **SPECIAL EXCEPTION**

**WITH DISCLOSURE, YOU MAY FULLY PARTICIPATE AS A COUNCIL MEMBER IN A MATTER IN WHICH YOU HAVE AN INTEREST IN A HARVESTING, PROCESSING, LOBBYING, ADVOCACY, OR MARKETING ACTIVITY**

# UNLESS

- The matter at issue will have an expected and substantially disproportionate benefit to your financial interests; or
- Is a matter primarily of individual concern

# **Expected and Substantially Disproportionate Benefit**

- Greater than 10% interest in the total harvest, or in the processing or marketing of the total harvest or
- Greater than 10% ownership in the vessels within the fishery

# **Matter Primarily of Individual Concern**

A matter that affects a small number of identified or easily identifiable parties

# Bribes and Similar Payments

You may not accept anything of value for taking action or failing to take action as a Council member



# Contacts

In your personal business activities, you may not communicate with any Federal agency or Federal court on behalf of another person concerning any contract (or other matter involving an identifiable party) on which you participate as a Council member

# **State Officials of Fishery Management Councils**

State Officials are subject to state laws and Council Rules of Conduct, including:

- No participation in any matter affecting your financial interests
- No use or disclosure of nonpublic information
- No personal use of Council property

# **Fishery Management Council Staff**

Subject to Federal conflict of interest statutes and Council Rules of Conduct, including:

- No participation in any matter affecting financial interests, unless an exemption applies

# **Fishery Management Council Staff**

Subject to Federal conflict of interest statutes and Council Rules of Conduct, including:

- No direct or indirect financial interest that conflicts with fair and impartial conduct of official duties
- No use or disclosure of nonpublic information

# Fishery Management Council Staff

Subject to Federal conflict of interest statutes and Council Rules of Conduct, including:

- No use of authority of position in connection with affecting an election
- No personal use of Council property

# **Fishery Management Council Staff**

## **CONTACTS**

- In your personal business activities, you may not communicate with any Federal agency or Federal court on behalf of another person concerning any contract (or other matter involving an identifiable party) on which you participate as a Council employee

# Scientific and Statistical Committee Members

- Must file Statement of Financial Interests
- Not subject to Federal Conflict of Interest Statutes, unless already a Federal employee
- No use or disclosure of nonpublic information

# QUESTIONS

- Contact the NOAA Regional Attorney responsible for advising your Council;
- State agency responsible for providing ethics advice; or
- Ethics Law and Programs Division at (202) 482-5384 or [EthicsDivision@doc.gov](mailto:EthicsDivision@doc.gov)

