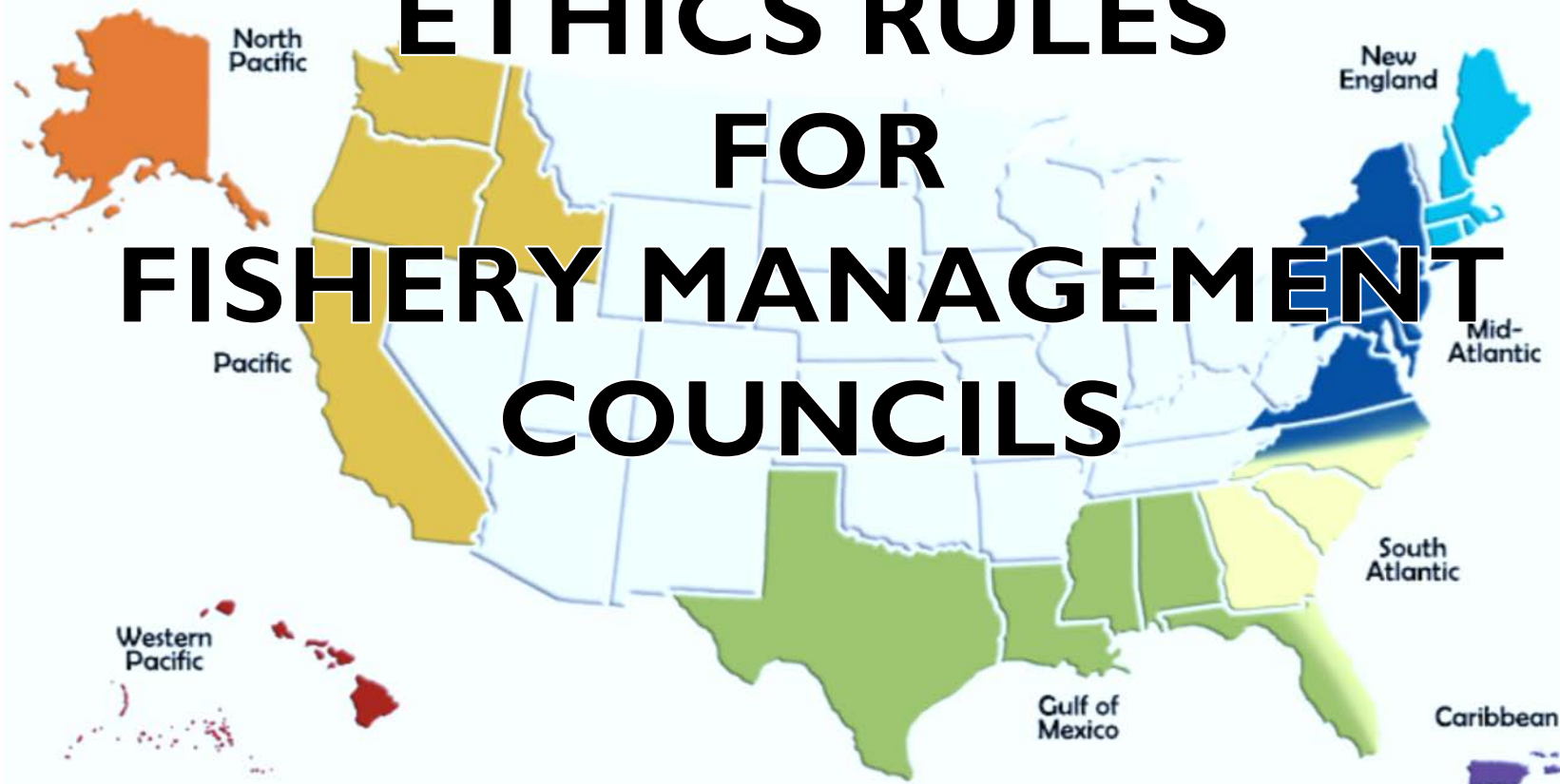


ETHICS RULES FOR FISHERY MANAGEMENT COUNCILS



New England



Mid-Atlantic



South Atlantic



Caribbean



Gulf of Mexico



Pacific



Western Pacific



North Pacific



ETHICS

Arthur Warren

Senior Counsel for Ethics

Ethics Law and Programs Division

Office of the General Counsel

202-482-5384

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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
- Subject to Council conduct regulations

Restriction on Matters Affecting a Personal Financial Interest

You may not participate on the Council on a matter that will have a direct and predictable effect on your financial interests or the interests of your spouse, minor child, general partner, outside employer, or prospective future employer *unless . . .*

Exception for Public Members

The interest is in a **harvesting, processing, lobbying, advocacy, or marketing activity** AND:

(a) the interest is listed on a financial interest statement and

(b) the matter at issue will not have an “expected and substantially disproportionate benefit to the interest.”

Other Exceptions

Exceptions to the disqualification requirement regarding personal financial interests:

- (1) broadly-diversified mutual funds;
- (2) publicly-traded securities of \$15,000 or less

Restriction on Participating in Matters Primarily of Individual Concern

You may not participate on the Council on a matter of primarily individual concern. This means a matter that affects a small number of identified or easily identifiable parties, in which you have a financial interest

Bribes and Similar Payments

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



Restrictions on Communications with the Federal Government

No communications on behalf of any person or entity with any Federal agency or Federal court concerning any contract (or any other matter involving an identifiable party) that comes before the Council

(Restriction remains in effect even after you leave the Council)

Principal State Officials on Fishery Management Councils

Subject to:

- Council Rules of Conduct, including:
 - no participation in any matter affecting your personal financial interests
 - no use of nonpublic information
- State statutes and state regulations that apply to your conduct as a state official

Employees of Fishery Management Councils

Subject to:

- Federal conflict of interest statutes
- Council Rules of Conduct, including:
 - No participation in any matter affecting financial interests, unless an exemption applies
 - No direct or indirect financial interest that conflicts with fair and impartial conduct of official duties
 - no use of nonpublic information

Employees of Fishery Management Councils

Outside business activities

No communications on behalf of any person or entity with any Federal agency or Federal court concerning any contract (or any other matter involving an identifiable party) on which you participate as a Council employee

(Restriction remains in effect even after you leave Council employment)

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 for your Council;
- state agency responsible for providing ethics advice; or
- Ethics Law and Programs Division at **(202) 482-5384** or **EthicsDivision@doc.gov**