

FINANCIAL DISCLOSURE AND RECUSAL POLICY

This agenda item concerns the matter of financial disclosure and recusal and is intended to cover two requirements that stem from 1) the Magnuson-Stevens Act (MSA), and 2) a 2021 National Oceanic and Atmospheric Administration (NOAA) Policy Directive concerning disclosure and recusal (Agenda Item C.2, Attachment 1).

As outlined in the 2021 NOAA Policy Directive, NOAA General Counsel will conduct an annual briefing for Regional Fishery Management Councils on financial disclosure and recusal requirements. Such briefings will cover the completion of financial disclosure forms, the recusal process, and penalties. This agenda item will serve as the annual briefing to the Council that is required by this Policy Directive.

The MSA contains the requirement that a Regional Recusal Determination Procedure Handbook be developed by each National Marine Fisheries Service Regional Office, in conjunction with NOAA General Counsel. Such a handbook should explain the process and procedure typically followed in preparing and issuing recusal determinations. A handbook for the Pacific Fishery Management Council will be developed over the coming months. This agenda item will discuss the plan for that handbook's development and entertain any questions or feedback the Council may have at this time.

Council Action:

1. Review National Marine Fisheries Service Policy and Procedural Directives on Disclosure and Recusal and Provide Preliminary Comments

Reference Materials:

1. Agenda Item C.2, Attachment 1: Procedures for Review of Fishery Management Council Financial Disclosures and Recusal Determinations.
2. If received, Public Comments are Electronic Only ([see e-portal](#)).

Agenda Order:

C.2 Financial Disclosure and Recusal Policy

Merrick Burden

a. Report of the National Oceanic and Atmospheric Administration,
Office of General Counsel

Maggie Smith

b. Reports and Comments of Management Entities and Advisory Bodies

c. Public Comment

d. **Council Action:** Review National Marine Fisheries Service Policy and Procedural Directives on Disclosure and Recusal and Provide Preliminary Comments