

## Regional Fishery Management Councils Nomination Application Kit Guidance

Please read the guidance and review each form prior to completing the Nomination Application Kit. You are ineligible for appointment consideration if all qualifications and nomination requirements of the [Magnuson-Stevens Act](#), and other related requirements are not met within these forms. Contact your Governor (or Governor's contact) if you have questions regarding the completion of the Nomination Application Kit.

### Regional Fishery Management Council Residency Policies

A state resident is an individual who maintains his/her principal residence within that state, and if applicable, pays income taxes to that state and/or other appropriate jurisdiction within that state.

### Obligatory Seats

Obligatory seats are state-specific. Prior to submitting nominations, a Governor must determine if each nominee is a resident of that state. Governors may not nominate a non-resident of that state for appointment to a Council seat obligated to that state. If at any time during a term an appointee changes residency to another state, the member must resign from that obligatory seat.

### At-Large Seats

At-large seats are regional. Governors may nominate residents of another Regional Fishery Management Council constituent state for appointment to an available at-large seat on that Council. However, if an at-large Council member changes residency to a state not represented on the Council on which he/she was a member, the member may no longer vote and must resign his/her at-large seat.

### Criteria

Nominees, by reason of their occupational or other experience, scientific expertise, or training, must be knowledgeable and experienced in one or more of the following ways related to the fishery resources of the geographical area of concern to the Council:

- 1) Commercial fishing, aquaculture, or the processing or marketing of fish, fish products, or fishing equipment;
- 2) Fishing for pleasure, relaxation, or consumption, or experience in any business supporting fishing;
- 3) Leadership in a state, regional, or national organization whose members participate in a fishery in the Council's area of authority;
- 4) The management and conservation of natural resources, including related interactions with industry, government bodies, academic institutions, and public agencies.

- 5) Representing consumers of fish or fish products through participation in local, state, or national organizations, or performing other activities specifically related to the education or protection of consumers of marine resources; and
- 6) Teaching, journalism, writing, consulting, practicing law, or researching matters related to fisheries, fishery management, and marine resource conservation.

Equally important is the stewardship responsibilities and the appointment of individuals who can work collectively with other members to achieve the conservation standards under the Magnuson-Stevens Act.

#### Completing the Nomination Application Kit

The Nomination Application Kit contains Parts 1-4 described below. Please review each form prior to completing. You are ineligible for appointment consideration if all qualification and nomination requirements of [Section 302](#) of the Magnuson-Stevens Act and other related requirements at [50 CFR 600.215](#) are not met within these forms. Contact your Governor (or Governor's contact) if you have questions regarding the completion of the Nomination Application Kit.

#### **Part 1: Acknowledgement Statement, Resume, Philosophy Statement**

You must provide a written statement as to why you want to be a Council member; a current resume, or equivalent, describing career history, detailing fisheries background and experience; and a statement of your guiding philosophy on the conservation and management of living marine resources.

#### **Part 2: Personal Fisheries Experience Form**

Nominees must specify their personal fisheries experience and background, participation in a fishing sector, and other management interests within a Council's geographic area.

#### **Part 3: Statement of Financial Interests Form (NOAA Form 88-195) and National Marine Fisheries Service Intergovernmental Personnel Agreement (IPA)**

Nominees must meet applicable financial disclosure requirements as required by Section 302(j) of the Magnuson-Stevens Act prior to appointment. The requirements are listed on NOAA Form 88-195 "Statement of Financial Interests for Use by Voting members of, and Nominees to, the Regional Fishery Management Councils." In addition, nominees must select the appropriate block, and sign/date the cover sheet to Part 3, which pertains to potential participation by nominees in a National Marine Fisheries Service IPA.

#### **Part 4: Certification of Status Statement**

Each nominee to, and member of, the eight Councils must certify, pursuant to the Foreign Agents Registration Act of 1938, if they serve as an agent of a foreign principal. In addition, each nominee to, and member of, the eight Councils must certify, pursuant to the Lobbying Disclosure Act of 1995, as amended, if they serve as a registered Federal lobbyist. Nominees cannot be appointed to one of the eight councils if they are acting as an agent of a foreign principal required to register under the Foreign Agents Registration Act of 1938, as amended. They also

must disclose whether they are a registered Federal lobbyist pursuant to the Lobbying Disclosure Act of 1995, as amended.

### Timely Submission

Please make sure you have completed (sign and date where applicable) Parts 1-4 of the Nomination Application Kit. Print the completed and return to your Governor (or Governor's contact). Completed nomination packages (Governor's letter and completed nominees' kits) must be received by the NOAA Assistant Administrator for Fisheries on or before March 15.

### Appointment

A Council member's appointment is conditional until such time as the member's background investigation has been favorably adjudicated. If you are appointed, you must undergo an extensive background investigation and complete other administrative requirements of the appointment process. Failure to disclose any past criminal history would be grounds for an unfavorable background investigation. Newly appointed members are required to complete a training course typically scheduled in October.

### **Paperwork Reduction Act Statement**

This information is required to establish Regional Fishery Management Councils under 50 CFR Part 600, Subpart B and under section 302 of the Magnuson Stevens Fishery Conservation and Management Act (16 1801, et seq.).

This information is used to nominate and appoint individuals to the Regional Fishery Management Councils. Submission of this information is required in order to complete the nomination process.

Public reporting burden for this collection of information is estimated to average one hour to designate a principal state fishery official or for a request to reinstate authority, 80 hours for a nomination to a Council appointment, and 16 hours for background documentation on nominees 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 suggestions for reducing this burden to Office of Sustainable Fisheries, 1315 East West Highway, Silver Spring, MD 20910.

Notwithstanding any other provisions of the law, no person is required to respond to, nor shall any person be subjected to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act, unless that collection of information displays a currently valid OMB Control Number.