

From: **Maura Sullivan - NOAA Federal** <maura.sullivan@noaa.gov>
Date: Mon, Sep 24, 2018 at 4:24 PM
Subject: Recusal Determination for the Council's October 2018 meeting

Dear Council Members,

NOAA GC Alaska Section has examined the Council's October 2018 draft agenda for recusal issues.

One agenda item, **C-4 Halibut Retention in BSAI pots -- Final Action**, constitutes a "Council decision" as that term is defined in regulations at 50 CFR 600.235(a). Because this agenda item is a "Council decision," the recusal regulations at 50 CFR 600.235 apply.

We have determined that none of the appointed Council members (i.e., Council members Cross, Down, Kinneen, Laukitis, Mezirow, Peterson, and Jensen) are required to be recused from participating in, or voting on, this action under regulations at 50 CFR 600.225 or 600.235. This action is not a particular matter primarily of individual concern under 50 CFR 600.225, and none of the recusal thresholds at 50 CFR 600.235(c) are exceeded.

Although the regulations do not require a recusal for this agenda item, a Council member may voluntarily recuse himself or herself under 50 CFR 600.235(d).

According to the regulations at 50 CFR 600.235(g), any Council member may file a written request to the NOAA General Counsel for a review of this determination. Requests for review should be emailed to Kristen Gustafson, Deputy General Counsel, NOAA Office of the General Counsel, at Kristen.L.Gustafson@noaa.gov. A request for review must be received by Ms. Gustafson no later than October 4, 2018. Please see the regulations at 50 CFR 600.235(g) for more information on requests for review. You can access these regulations at:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=ddc81ef9a69a79e3e381b30446bb6022&mc=true&>

Please contact me if you have any questions or would like more information.

Thanks,

Maura

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Maura Sullivan
Chief, Alaska Section
NOAA Office of General Counsel U.S. Department of Commerce
P.O. Box 21109 Juneau, AK 99802 907-586-7328 (direct)