

## **Policy on Information Requests**

Atlantic States Marine Fisheries Commission

Approved by the Interstate Fisheries Management Policy Board on January 27, 2022

The member states of the Atlantic States Marine Fisheries Commission (ASMFC or Commission) have committed to transparent and open decision-making, record-keeping, and public meeting processes. Commission policies and guidelines concerning public participation are set out in detail in the Compact, Rules and Regulations and the Interstate Fisheries Management Program (ISFMP) Charter. Of particular note, Section 6(c) of the ISFMP Charter sets out detailed provisions for public participation in the Commission's fishery management process, including requirements for public disclosure of fishery management plan documents, and the preparation of administrative records concerning particular planning decisions. Thus, while the Commission is not subject to state or federal freedom of information laws, it is dedicated to transparency and to broad public access to information.

Much of the publicly available information relating to the Commission's work can readily be accessed at the ASMFC's website, [www.asmfc.org](http://www.asmfc.org). The Commission's website is maintained to provide extensive information on fishery management proceedings, scientific and technical information, ASMFC procedures, and many other topics. For example, links to guiding documents may be found at [Compact and Rules and Regulations](#), [ISFMP Charter](#), [Technical Guidance and Stock Assessment Process](#). Not all documents relevant to fishery management planning are posted on the website. For example, public correspondence or data submissions/requests, made to ASMFC staff are not typically available on the website.

For access to such information, members of the public can email the Commission at [info@asmfc.org](mailto:info@asmfc.org). Within 5 days, the Commission will acknowledge receipt of the request and provide a timeline for fully responding to the request. For information requests that will take more than two hours of staff time, the Commission will charge to reimburse for staff time, copying, mailing, etc. The requestor will receive an estimate of reimbursement costs and will have the choice to proceed with the request, adjust the scope, or terminate the request.

Please be advised that ASMFC will not create new records to respond to an information request. Eligible documents will be provided in existing form. If requested documents do not exist, the requestor will be notified accordingly.

For the Commission, as with any governmental entity, there are limitations regarding the types of information that can be made public. For example, fisheries data may be confidential under state or federal law. If ASMFC receives a request related to confidential data, the request will be forwarded to the state or federal agency that originally collected the data. The state or federal agency will determine what data can be made available to the public based on their laws and policies.

In addition to confidential fisheries data, the Commission may restrict access to information of a kind that is regularly withheld from public disclosure by governmental entities. Such information includes deliberative and pre-decisional technical or policy documents, attorney-client privileged documents, as well as personal and personnel information. The Executive Director, in consultation with the Commission legal counsel where appropriate, will determine whether any requested documents or information cannot be made public.

Finally, in light of the policies and practices explained above, the public should be aware that letters, public comments, emails, faxes and other correspondence submitted to ASMFC may be made public by posting on the Commission's website or in response to an information request.