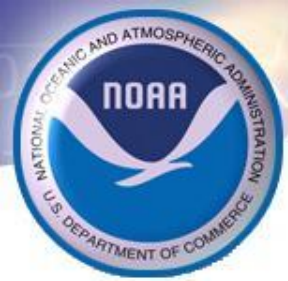




Best Practices for Avoiding Conflicts of Interest on the Scientific and Statistical Committee

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The Role of the SSC Under the MSA

- The SSC assists it in the “development, collection, evaluation, and peer review of such statistical, biological, economic, social, and other scientific information” used by the Council in fishery management plans.
- The SSC plays an important role in the Council’s efforts to develop conservation and management measures that are consistent with the national standards for fishery management, including in particular National Standard 2 (NS2).
- The SSC assists the Council in identifying the best scientific information available (BSIA) and provides advice and recommendations based on BSIA.



SSC Responsibilities

- Recommendations on identifying Best Scientific Information Available (BSIA)
- Management recommendations and advice that are based on BSIA, e.g., ABC recommendations
- Research recommendations
- Conduct peer reviews or evaluate peer reviews



SSC Conflicts of Interest

In fulfilling its role as the Council's scientific advisory committee, the SSC must ensure that its deliberations, advice, and recommendations are clear and well-reasoned.

The MSA does not explicitly address SSC member conflicts of interest.

National Standard 2 guidelines provide that SSC members must disclose and avoid financial or other conflicts of interest when conducting a formal peer review.



National Standard 2 Guidelines on Peer Review

The NS2 Guidelines seek to ensure independence to provide an objective and credible review.

In the peer review context, a **conflict of interest** means any financial or other interest which conflicts with the service of the individual on a review panel because it could significantly impair the reviewer's objectivity, or could create an unfair competitive advantage for a person or organization.



Avoiding Conflicts of Interest in Peer Reviews

NS2 Guidelines for avoiding conflicts of interest:

- potential reviewers who are not federal employees must be screened for conflicts of interest in accordance with the NOAA Policy on Conflicts of Interest for Peer Review Subject to the Office of Management and Budget's Peer Review Bulletin, or other applicable rules or guidelines.
- peer reviewers must not have any conflicts of interest with the scientific information, subject matter, or work product under review, or any aspect of the statement of work for the peer review.



Avoiding Conflicts of Interest in Peer Reviews

Exception: For reviews requiring highly specialized expertise where there is limited availability of qualified reviewers, an exception may be applied when a conflict of interest is unavoidable. The conflict must be **disclosed** promptly and publicly.



Best Practices

BSIA Recommendations:

- Apply NS2 guidelines for peer review when the SSC is conducting a peer review of a study to determine if it meets the standards of BSIA.
- If an SSC member participated in the development or review of the work product undergoing the SSC's peer review, the SSC member should **publicly disclose** his/her role in the underlying work.



Best Practices

BSIA Recommendations:

- The SSC member involved in the underlying work should **consider recusing** himself/herself from voting on whether underlying work meets the standards of BSIA, if the member's objectivity is compromised.
- ***Exception may be appropriate*** if there is a need for specialized expertise and there is limited availability of SSC members with such expertise.



Best Practices

BSIA Recommendations:

- Even if an SSC member has recused himself/herself from voting on the BSIA recommendation, the SSC member may **participate** in technical discussion and answer questions.
- **Avoid expressing an opinion** as to whether the information is BSIA to preserve objectivity of the SSC's recommendation.



Best Practices

Research Priority Recommendations:

- When the SSC is discussing research priorities to recommend to the Council, an SSC member should **publicly disclose** any interest or involvement in the projects that may be recommended by the SSC.
- Such disclosure should include relationships to related entities, or any kind of financial benefits that may result from the SSC's support.



Best Practices

Research Priority Recommendations:

- An SSC member who could financially benefit (directly or indirectly through related entities or personal relationships) from the SSC's support or recommendation for a project, should **consider recusing** himself/herself from voting on the recommendation.



Best Practices

Research Priority Recommendations:

- Once the SSC has made a recommendation as to whether information is BSIA, an SSC member who has recused himself/herself from the BSIA vote, may **participate in discussions and subsequent votes** about how to use that information to support management advice and recommendations.



Best Practices

Other Management Advice:

- Even if an SSC member has recused himself/herself from voting on the recommendation, the SSC member may **participate in technical discussion** and answer questions.
- Participation in the discussion about the research project may include **expressing an opinion** on the merits of the project.



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