

U.S. House of Representatives
Committee on Natural Resources
Washington, DC 20515

March 2, 2026

Hon. Howard Lutnick
Secretary
U.S. Department of Commerce
1401 Constitution Ave N.W.
Washington, D.C. 20230

Dr. Neil Jacobs
Under Secretary for Oceans and Atmosphere
U.S. Department of Commerce
1401 Constitution Ave N.W.
Washington, D.C. 20230

Dear Secretary Lutnick and Under Secretary Jacobs:

The United States is home to the world's best managed and sustainable fisheries. This is in large part due to the strong standards of the Magnuson-Stevens Fishery Conservation and Management Act and the decades of leadership from our nation's fishing communities. This month, you published the annual Fisheries Economics of the United States report, finding that our collaborative, transparent, and science-based fishery policies support a \$319 billion fishing economy and 2.1 million U.S. jobs.¹ However, your agency's cancellation of the Marine Fisheries Advisory Committee (MAFAC) last year has limited the input of our fishing communities in NOAA's policy decisions.² We have learned that in lieu of MAFAC, NOAA appointed a single "Fisherman in Residence." We are concerned that this singular position cannot speak for the diverse fishing communities and fishing sectors across our country and are concerned with NOAA's lack of transparency regarding the appointment of this position and the role. For the sake of the 2.1 million jobs that rely on healthy, sustainably managed fisheries, we seek full transparency regarding the role of "Fisherman in Residence."

It is our constitutional obligation to oversee NOAA, the primary scientific agency of the U.S. Department of Commerce, including whether its federal employees are complying with federal ethics laws governing conflicts of interest, impartiality, and outside activities, and whether ethics screening controls have been adequately implemented and enforced.

It is our understanding that Mr. Dustin Delano has been appointed as "Fisherman in Residence" at NOAA. As such, we assume he is a NOAA employee, has been drawing a federal paycheck, and is advising on fisheries policy within NOAA. However, it is clear from his Facebook posts and other public activities that he continues to serve as an industry association advocate on matters before NOAA, raising questions about his impartiality and ability to serve in the best interests of the American people and fishing communities across the country.

¹ U.S. DEP'T OF COM., NAT'L OCEANIC & ATMOSPHERIC ADMIN., Technical Mem. No. NMFS-F/SPO-254, *Fisheries Economics of the United States 2023, Economic and Social Status and Trends Series* (February, 2026), https://www.fisheries.noaa.gov/s3/2026-02/FEUS-2023-web_0.pdf.

² Eric Katz, *NOAA Terminates Space, Climate and Marine Life Advisory Committees*, GOVERNMENT EXECUTIVE (Mar. 3, 2025), <https://www.govexec.com/management/2025/03/noaa-terminates-space-climate-and-marine-life-advisory-committees/403421>.

In May 2023, Mr. Delano became the Chairman and Chief Strategist of the New England Fishermen’s Stewardship Association (NEFSA).³ In addition, a resume recently submitted to the Committee by Mr. Delano reflects ongoing leadership positions within organizations tied to NOAA-regulated industries, including service as President of the New England Fishermen’s Foundation and as a board member of the Maine Lobster Marketing Collaborative.⁴ In November 2025, while still working as NEFSA’s Chairman and Chief Strategist, Mr. Delano was hired by NOAA to serve as its “Fisherman-in-Residence.” Since then, Mr. Delano has written an op-ed in his capacity as NEFSA’s Chairman and Chief Strategist.⁵ Based on the available evidence, Mr. Delano has continued to work in both roles simultaneously, posing an appearance of impropriety at the very least, and possibly a violation of criminal conflicts of interest law.

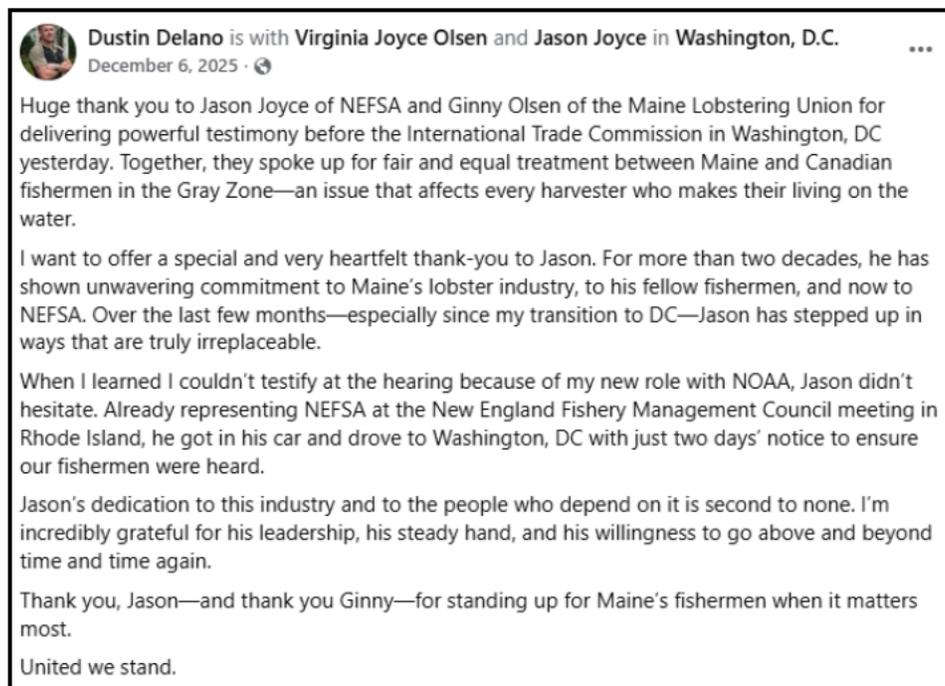
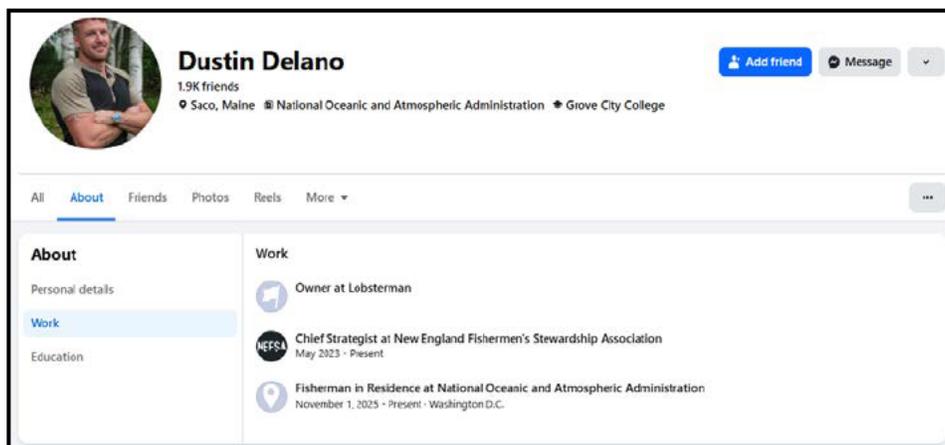
Mr. Delano presents these affiliations in his advocacy and litigation-facing work in areas where NOAA is a decision-maker and, at times, a defendant. His resume lists “opposition to offshore wind projects in the Gulf of Maine” as an accomplishment under his ongoing work with NEFSA. It also reflects his involvement with the Maine Lobstermen’s Association in connection with litigation against the U.S. Department of Commerce, including *Maine Lobstermen’s Association v. Raimondo*, which challenged NOAA’s actions related to endangered species protections, including for the North Atlantic right whale. In other words, Mr. Delano’s non-government roles and professional work involve representing fishermen in litigation and advocacy that directly implicate NOAA and the regulated industries and stakeholders before it.

³ FACEBOOK, *Dustin Delano, About*, https://www.facebook.com/dustin.delano.9/directory_work (last visited Feb. 4, 2026); SUBCOMM. ON WATER, WILDLIFE & FISHERIES OF THE H. COMM. ON NATURAL RESOURCES, *Truth in Testimony Disclosure Form of Dustin Delano* (June 4, 2025), <https://docs.house.gov/meetings/II/II13/20250604/118330/HHRG-119-II13-TTF-DelanoD-20250604.pdf>.

⁴ *Id.*

⁵ Dustin Delano, *American seafood is national security — and Washington is failing fishermen.*, Fox News (Feb. 10, 2026), <https://www.foxnews.com/opinion/american-seafood-national-security-washington-failing-fishermen>.

Strikingly, Mr. Delano recently publicly stated that he “couldn’t testify” at an International Trade Commission hearing “because of [his] new role with NOAA.”⁶ His role is purported to be an advisory role related to NOAA’s implementation of Executive Order 14276, titled “Restoring American Seafood Competitiveness,” which includes deregulatory actions favored by the industry.⁷ This would likely include regulatory and policy deliberations such as whether to advance, delay, or terminate pending agency actions. This would suggest that Mr. Delano may be working inside NOAA on the very matters he was and continues to advocate for on behalf of NEFSA.



⁶ Dustin Delano (@Dustin.Delano.9), Facebook (Dec. 6, 2025), <https://perma.cc/XU83-C2Q3?type=image>.

⁷ Exec. Order No. 14276, Restoring American Seafood Competitiveness, 90 Fed. Reg. 16993 (Apr. 17, 2023).

These facts raise a straightforward question: did Mr. Delano participate personally and substantially in official matters in violation of federal law, and did DOC and NOAA implement effective safeguards at the outset of his federal service to prevent disqualifying participation? Federal ethics law speaks directly to this risk. Under 18 U.S.C. § 208, an employee is prohibited from participating personally and substantially in any particular matter that has a direct and predictable effect on the employee's financial interests, or interests legally imputed to the employee, absent a lawful waiver. In addition, under federal ethics rules, an employee must not participate in a matter when a reasonable person with knowledge of the relevant facts would question the employee's impartiality, absent written authorization by the agency.⁸ Employees must also comply with restrictions on outside activities and obtain required approvals.⁹

If Mr. Delano's job at NOAA is enough to bar him from testifying, it should also bar him from secretly shaping internal agency action that affects the same interests he represents outside government. Unfortunately, without documented recusals and enforced screening, the public has no way to know whether NOAA's decisions are being made on the merits or because of insider influence to benefit industries and the officials potentially benefiting from their success.

Accordingly, to assist the Committee's oversight, please produce the following documents and communications no later than March 16, 2026:

1. All financial disclosure reports and related records filed by Mr. Delano, from the commencement of his federal service to the present, including but not limited to:
 - a. any OGE Form 450 and/or OGE Form 278e, as applicable;
 - b. all OGE Form 278-T records;
 - c. all certificates of divestiture issued pursuant to 5 C.F.R. § 2634.1001; and
 - d. all waivers, authorizations, or determinations issued pursuant to 18 U.S.C. § 208(b) or federal ethics rules regarding Mr. Delano;
2. All documents or communications, in any form or medium, from the commencement of Mr. Delano's federal service to the present, referring or relating to Mr. Delano, and involving any Department of Commerce or NOAA ethics officials;
3. All documents and communications, in any form or medium, from the commencement of Mr. Delano's federal service to the present, involving any Department of Commerce or NOAA ethics officials, referring or relating to deadline extension requests, reviews, or decisions about any financial disclosure for Mr. Delano, including but not limited to any records maintained under 5 C.F.R. § 2634.201(g);

⁸ See 5 C.F.R. § 2635.502.

⁹ See 5 C.F.R. § 2635.803.

4. All documents and communications, in any form or medium, concerning or relating to ethics training, onboarding, and conflict of interest compliance materials provided to or completed by Mr. Delano;
5. All documents and communications, in any form or medium, concerning or relating to Mr. Delano's federal employment, including but not limited to his date of hire, position title(s), job description(s), duty station, pay grade and salary, reporting and supervisory relationships, including the identity of supervisors to whom Mr. Delano reported and any employees who reported to him, and any subsequent changes in title, role, responsibilities, or organizational placement;
6. All documents and communications, in any form or medium, maintained by or provided to the Department of Commerce or NOAA ethics officials concerning or relating to Mr. Delano's participation in any matters before the Department of Commerce or NOAA, including but not limited to regulatory actions, policy development, enforcement matters, and litigation-related issues; and
7. All official calendars, schedules, meeting invitations, agenda entries, and other scheduling records maintained by or for Mr. Delano in his official capacity as a Department of Commerce or NOAA employee, in any form or medium, from the commencement of his federal service to the present, including any attachments, notes, or participant lists associated with such entries.

Please contact the Natural Resources Committee Subcommittee on Oversight and Investigations minority staff at (202) 225-6065 with any questions about this request. We look forward to your prompt response to this oversight request.

Sincerely,



Jared Huffman
Member of Congress
Ranking Member,
Committee on Natural Resources



Maxine Dexter
Member of Congress
Ranking Member,
Subcommittee on Oversight and Investigations

Responding to Committee Document Requests

In responding to document requests from the Committee on Natural Resources, please apply the instructions and definitions set forth below:

Instructions

1. In complying with the request, you should produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data, or information should not be destroyed, modified, removed, transferred, or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization, or individual denoted in this request has been, or is currently, known by any other name than that herein denoted, the request should be read also to include them under that alternative identification.
3. Documents must be provided in electronic form (i.e., memory stick, thumb drive, or internet-based). Documents produced should also be organized, identified, and indexed electronically. Documents should be produced in their native file format. For example, emails from Microsoft Outlook should have a “.pst” file extension, Excel files should have an “.xls_” or similar extension, and Microsoft Word documents should have a “.doc_” extension. Consult with the Committee to determine the appropriate format in which to produce the information.
4. Each document produced should be produced in a form that renders the document capable of being copied.
5. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, or folder transmitted through the internet is produced, each should contain an index describing its contents.
6. Documents produced in response to this request should be produced together with copies of file labels, dividers or identifying markers with which they were associated when this request was issued. To the extent that documents were not stored with file labels, dividers, or identifying markers, they should be organized into separate folders by subject matter prior to production.
7. When you produce documents, you should identify the paragraph in the Committee’s schedule to which the documents respond.
8. It shall not be a basis for refusal to produce documents that any other person or entity also possesses a non-identical or identical copy of the same documents.
9. If compliance with the request cannot be made in full, compliance should be made to the extent possible and should include an explanation of why full compliance is not possible.
10. In the event that any document or part of a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document or part of a

document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.

11. If any document responsive to this request was, but no longer is, in your possession, custody, or control, you should identify the document (stating its date, author, subject and recipients) and explain the circumstances by which the document ceased to be in your possession, custody, or control.
12. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you should produce all documents which would be responsive as if the date or other descriptive detail were correct.
13. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date should be produced immediately upon location or discovery subsequent thereto.
14. All documents should be Bates-stamped sequentially and produced sequentially.
15. Documents produced to the Committee in response to this request should be delivered to minority staff in Room 1332 of the Longworth House Office Building or directly through the internet.

Definitions

1. The term "**document**" means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, interoffice and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone calls, text messages, MMS or SMS messages, other mobile-to-mobile messages, instant messages or online chat messages, meetings or other communications, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, voice mails, microfiche, microfilm, videotape, recordings and motion pictures), and electronic and mechanical records or representations of any kind (including, without limitation, tapes, cassettes, disks, computer server files, computer hard drive files, CDs, DVDs, memory sticks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term "**documents in your possession, custody, or control**" means (a) documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, or representatives acting on your behalf; (b) documents that you have a legal right to obtain, that you have

a right to copy, or to which you have access; and (c) documents that you have placed in the temporary possession, custody, or control of any third party.

3. The term "**communication**" means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether face-to-face, in a meeting, by telephone, facsimile, mail, e-mail (desktop or mobile device), text message, MMS or SMS message, other mobile-to-mobile message, instant message or online chat, telexes, releases, personal delivery, or otherwise.
4. The terms "**and**" and "**or**" shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
5. The terms "**person**" or "**persons**" means natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, and other units thereof.
6. The term "**identify**," when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
7. The terms "**referring or relating**," with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is in any manner whatsoever pertinent to that subject.
8. The term "**employee**" means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.