

OREGON CARES ACT - Federal Disaster Relief Program

In an effort to process your application as quickly as possible, we **will not** call you when we receive your application. If there is anything missing or we have any questions about the application or W-9 Form, you will be notified.

We recommend you send your paperwork with a trackable (Return Receipt Requested) method - USPS, UPS, FedEx all offer this service.

This way you will know when we receive your documents.

PLEASE:

- ☐ **Complete** and **Sign** the **Oregon Application Worksheet**
- ☐ **Complete** and **Sign** a **W-9 Form**
- ☐ **RETURN** (Postmarked by September 8, 2020) your completed/signed application worksheet and W-9 Form to:

**PSMFC – 205 SE Spokane Street, Suite 100
Portland, OR 97202**

If you have questions, please email: cares@psmfc.org
or call: 1-877-695-3457

YOU MUST ATTACH A COMPLETED AND SIGNED W-9 Form before your application will be processed.

**Your CHECK will be mailed to the address you list on your W9
Please make sure it is your current MAILING address**

Additional W-9 Forms are available for download on the
Internal Revenue Service website: www.irs.gov

ALL FUNDS ARE TAXABLE - Subject to income and self-employment taxes

we will provide the IRS with this payment information

OREGON – CARES Act Fisheries Assistance

Fisheries Assistance Funding Provided by Sec. 12005
Coronavirus Aid, Relief and Economic Security Act

APPLICATION AND SELF-CERTIFICATION FORM

(SEE OREGON SPEND PLAN FOR ADDITIONAL BACKGROUND ON ELIGIBILITY AND CLAIM REQUIREMENTS)

SECTION 1 – ELIGIBILITY:

- **MUST** be home-ported or home-based in Oregon and a participant in marine and/or anadromous fisheries;
- **MUST** be a commercial harvester; commercial processor/wholesaler; recreational charter or guide business; qualified mariculture business; or qualified retailers of fishing gear, tackle and bait as specified below.
 - Commercial harvesters: Eligible businesses are limited to the commercial fishing vessel license holder for vessel-based harvesters or the commercial fishing license holder for non-vessel harvesters that do not also have a commercial fishing vessel license. Limited fish sellers (commercial harvester that sells directly off the vessel to the public) are covered as a commercial harvester business based on the commercial fishing license holder. These licenses are from ODFW.
 - Commercial processors: Eligible businesses are limited to reporting wholesale fish or bait dealers (often referred to as first receivers, who purchase directly from commercial fishers and report on fish tickets to ODFW), or non-reporting wholesale fish or bait dealers (purchase from other wholesale dealers and do not purchase from commercial fishers, so are not required to report on fish tickets). These licenses are from ODFW.
 - Mariculture: Eligible businesses must have either a shellfish grower, shellstock shipper, or shellfish shucker/packer certification from Oregon Department of Agriculture; utilize product from open-system marine aquaculture (i.e., non-container and located in the marine or estuarine environment); and are not otherwise eligible for assistance under part 1416 of title 7 of the Code of Federal Regulations for losses related to COVID-19.
 - Recreational charter and guide business owners: Eligible businesses are limited to charter and guide license holders from the Oregon State Marine Board (OSMB). Only losses associated with fishing for marine species and/or anadromous species will be considered.
 - Fishing gear/tackle/bait retailers: Eligible businesses are limited to retail businesses where gear/tackle/bait sales associated with marine and/or anadromous fisheries make up over two-thirds of their overall annual revenues. Gear and tackle are defined as specific fishing equipment put into the water to catch fish, not equipment on the boat necessary to put that gear/tackle/bait into the water. These retailers must be registered as a business with the Oregon Secretary of State Office.
- **MUST** have either a commercial fishing vessel license (ODFW license), a commercial fishing license for non-vessel commercial harvesters (ODFW license), a reporting or non-reporting wholesale fish or bait dealer license (ODFW license), a shellfish grower, shellstock shipper, or shellfish shucker/packer certification (ODA certification), a guide or charter license (OSMB license) or, for gear/tackle/bait retailers, Oregon Secretary of State business registration.

ADDITIONAL SPECIFICATIONS:

- If the Oregon business is part of a broader business located in another state, then only the Oregon-based component of the business (e.g., processing plant physically located in Oregon) can be claimed for Oregon funding, and that Oregon-based component cannot be claimed as part of a funding request from another state. Oregon-based businesses participating in fisheries in other states (e.g., harvester with Oregon commercial fishing vessel license) can claim those revenue losses in their Oregon claim, but only if they are not claiming those losses in another state.
- This claim cannot be for tribal fisheries, but can be for tribal members participating in non-tribal fisheries that possess one of the above state-issued licenses/registrations.

SECTION 2 – CLAIM REQUIREMENTS FOR ELIGIBLE BUSINESSES:

- You must state your claimed loss for 2020 and demonstrate that 2020 gross revenues (not net revenues) associated with all marine/anadromous fishery participation during the months of COVID-19 impacts represents a greater than 35% loss compared to average revenue for the prior five years for the same weeks or months. Assessment of loss must be across all marine/anadromous fisheries participated in during the selected timeframes (i.e., cannot exclude fisheries not impacted by COVID-19, and cannot exclude years, even if designated as fishery disaster by Secretary of Commerce).
- The timeframe applicants select for assessing COVID-related impacts to their business' gross revenue across all fisheries, including Dungeness crab, must be between February 1 and June 30, 2020 (inclusive) and reflect losses

primarily due to COVID-related impacts, and not weather or other factors. The timeframe selected must be continuous (i.e., cannot omit weeks within timeframe) and span at least 4 weeks. January 2020 is excluded because of relatively limited COVID-19 impacts and extreme weather events limiting access to some fisheries.

- The comparison years to assess prior average gross revenue must use the same weekly or monthly timeframe as used to assess losses in 2020. If the business existed for this timeframe in 2015, then the most recent five years preceding 2020 must be used to assess average gross revenue for comparison to 2020. If the business began after this weekly or monthly timeframe in 2015, but before this timeframe in 2018, then all available years of operation must be used to assess average gross revenue for comparison to 2020 (i.e., two to four years). If the business did not exist until after this weekly or monthly timeframe in 2018, then the business is not eligible for application and funding (i.e., need to have a minimum of two prior years in business to determine average gross revenues for comparison to 2020).
- A simple calendar timeframe (i.e., date) will be used for all fishery participants except Dungeness crab harvesters. Dungeness crab harvesters are required to translate their calendar dates in 2020 to a “days-from-opener” timeframe for their crab revenue in 2020 and then use that same days-from-opener timeframe for all comparison years. This is necessary because crab season opener dates have varied over the years, and crab harvester revenues are driven much more by days into the season than by calendar day. For seasons when areas opened on different dates, crab harvesters must use the opening date for the area they fished first. Applicants can access an online table that translates the days from opener to calendar dates, for each crab harvesting season: <https://www.psmfc.org/cares-act-the-coronavirus-aid-relief-and-economic-security-act>
Dungeness crab harvesters who also participated in other fisheries during the selected timeframe will use the calendar date approach to compare all non-crab revenue.

EXAMPLES:

1. Tilikum Charters, LLC. (marine fishing charter) was established on August 1, 2017. During 2020, COVID-19 affected their business primarily from March 15 through the end of May. Their gross revenue from March 15 through May 31 was \$5,000. During the same time period in 2018 and 2019 they grossed \$55,000 and \$75,000 respectively. Their average gross revenue for the two prior years in business (for the same timeframe used for losses in 2020) was: \$65,000. This represents an absolute loss of \$60,000 (65,000-5,000) and a relative loss of 92.3% (60,000/65,000).

1	Timeframe (dates) used for 2020 claim (must be at least 4 continuous weeks between Feb-1 and Jun-30):	03 / 15	&	05 / 31
		MM / DD	&	MM / DD
	*For Dungeness crab harvesters, days-from-opener timeframe used:	Days after opener: NA	&	Days after opener: NA
2	2020 Gross Revenue within timeframe:	\$5,000		
3	Gross revenue for each comparison year (mark NA if not applicable):	\$75,000 (2019)	\$55,000 (2018)	
		\$NA (2017)	\$NA (2016)	
		\$NA (2015)		
4	Average gross revenue using all comparison years:	\$65,000		
5	Absolute loss \$ (Step 4 - Step 2):	\$60,000		
6	Relative loss % (Step 5 ÷ Step 4):	92.3%		

2. Mt. Humbug Crabbin' (commercial Dungeness crab harvester) has been in operations since 2013. In 2020, Mt. Humbug Crabbin' crabbed from the opener until May 31, before pulling pots to shift to another fishery. The harvester decided that the primary impacts to their business from COVID-19 in 2020 occurred from the start of the eligible period (Feb 1) and extended through June. For the crab fishery portion of losses, the harvester would use revenues (i.e., fish tickets) from Feb 1 through Jun 30 for 2020 (even though no landings occurred in June), which represents starting 33 days after the opener and ending 183 days after the opener (inclusive). Revenues for the crab portion of the harvester's five comparison years (2015-19) would all start 33 days from the season opener for those years in the area the harvester first fished in each year, and extend until 183 days after the opener (inclusive). The harvester would then add in any other fisheries they participated in during 2020 from February through June for total revenue in 2020, and include all other fisheries participated in from February through June for each prior year (2015-19) to determine gross revenues for comparison to 2020. Mt. Humbug Crabbin' had \$85,000 revenue from the Dungeness crab fishery in 2020 (from Feb 1 through Jun 30) and \$35,000 revenue from other fisheries during that time period. The business averaged \$150,000 revenue for the crab fishery during the same “days-from-opener” timeframe the prior five years (33 through 183 days from the opener for each of the five prior years). The business also averaged \$50,000 from other fisheries from February through June during the five prior years. Gross revenue for the 2020 claim period is \$120,000 across all fisheries. Average gross revenue for the prior five years is \$200,000. The absolute loss in 2020 is \$80,000 (200,000-120,000) and the relative loss is 40% (80,000/200,000).

1	Timeframe (dates) used for 2020 claim (must be at least 4 continuous weeks between Feb-1 and Jun-30):	02 / 01 MM / DD	&	06 / 30 MM / DD
	*For Dungeness crab harvesters, days-from-opener timeframe used:	Days after opener: 33	-	Days after opener: 183
2	2020 Gross Revenue within timeframe:	\$120,000		
3	Gross revenue for each comparison year (mark NA if not applicable):	\$211,000 (2019)	\$188,000 (2018)	
		\$206,000 (2017)	\$194,000 (2016)	
		\$201,000 (2015)		
4	Average gross revenue using all comparison years:	\$200,000		
5	Absolute loss \$ (Step 4 - Step 2):	\$80,000		
6	Relative loss % (Step 5 ÷ Step 4):	40.0%		

DISTRIBUTION OF FUNDS:

- Direct payments will be made to individual businesses based on COVID-19-related losses (absolute losses) scaled to available funds.
- If total claims exceed available funds, then a maximum claim allowance will be imposed to help level disbursements, and claims readjusted to available funds incorporating this maximum allowance.
- The maximum claim allowance, if needed, will be 80% of the average ten-highest individual claims if claims more than double available funds, and 90% if claims exceed, but do not double available funds.
- If total claims are less than available funds, a second round of applications may be solicited for a subsequent time period.

DISPUTE PROCESS:

- PSMFC will notify applicants that did not meet Oregon's eligibility requirements, or did not provide necessary certification and documentation, or their claim exceeded supporting documentation. These applicants will have one week to correct deficiencies for PSMFC review and final determination, after which all decisions will be final.

REQUIREMENTS OF PAYMENT:

- Complete and sign the enclosed application worksheet which includes self-certification language attesting to the claimed COVID-related loss in 2020, and that this loss exceeded 35% of average revenue for comparison years;
- Complete and sign the enclosed W-9 Form;
- Submit the completed and signed application worksheet and W-9 Form to PSMFC, POSTMARKED no later than September 8, 2020.

All payments will be issued after the close of the application period. Disbursements are anticipated to begin Fall of 2020 depending on the length of time needed for review and approval of applications. Your payment will be mailed to the address on your W9 – Please be certain that address is correct and is where you receive your mail.

RETURN YOUR COMPLETED APPLICATION WORKSHEET AND W-9 FORM TO:

**PACIFIC STATES MARINE FISHERIES COMMISSION
205 SE SPOKANE STREET – SUITE 100
PORTLAND, OR 97202**

MUST BE POSTMARKED NO LATER THAN

SEPTEMBER 8, 2020

LATE APPLICATIONS WILL NOT BE ACCEPTED.

ALL FUNDS RECEIVED ARE TAXABLE

SUBJECT TO INCOME AND SELF-EMPLOYMENT TAXES

Questions - please email: cares@psmfc.org or call toll-free: 1-877-695-3457

OREGON – CARES ACT FISHERIES ASSISTANCE

APPLICATION WORKSHEET

Please complete, sign, and return the following application worksheet along with your completed and signed W-9 Form (2 pages total). You must complete all sections of this application worksheet, including the self-certification and assurances located on the following page.

Name _____

Business: _____

Address _____

City _____ **State** _____ **Zip** _____

Email _____ **Phone** _____

SECTION 1 – ELIGIBILITY: (Please refer to Section 1 for more information)

SELECT ONE		AND	PROVIDE LIC / CERT / REGISTRATION NUMBER
<input type="checkbox"/>	Commercial Fishing Vessel License (ODFW)		
<input type="checkbox"/>	Commercial Fishing License for Non-Vessel Commercial Harvesters (ODFW)		
<input type="checkbox"/>	Reporting or Non-Reporting Wholesale Fish or Bait Dealer License (ODFW)		
<input type="checkbox"/>	Guide or Charter License (OSMB)		
<input type="checkbox"/>	For Gear/Tackle/Bait Retailers (Oregon Secretary of State Business Registration)		
<input type="checkbox"/>	Shellfish Grower, Shellstock Shipper, or Shellfish Shucker/Packer Certification (ODA)		

SECTION 2 – CLAIM REQUIREMENTS FOR ELIGIBLE BUSINESSES:

(Please refer to Section 2 for more information)

1	Timeframe (dates) used for 2020 claim: (must be at least 4 continuous weeks between Feb-1 and Jun-30)	_____ / _____	&	_____ / _____
		MM / DD		MM / DD
	*For Dungeness crab harvesters, days-from-opener timeframe used:	Days after opener _____	-	Days after opener _____
2	2020 Gross Revenue within timeframe:	\$ _____		
3	Gross revenue for each comparison year (mark NA if not applicable):	\$ _____ (2019)		\$ _____ (2018)
		\$ _____ (2017)		\$ _____ (2016)
		\$ _____ (2015)		
4	Average gross revenue using all comparison years:	\$ _____		
5	Absolute loss (Step 4 - Step 2):	\$ _____		
6	Relative loss (Step 5 ÷ Step 4):	%		

YOU MUST COMPLETE, SIGN, AND DATE THE SELF-CERTIFICATION AND ASSURANCES FORM LOCATED ON THE FOLLOWING PAGE.

SELF-CERTIFICATION AND ASSURANCES:

In applying for Federal assistance from the Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service; through the Pacific States Marine Fisheries Commission I certify that the following are true. **INITIAL EACH STATEMENT BELOW:**

- _____ I am an eligible recipient of assistance under the CARES Act (P.L. 116-136) Section 12005;
- _____ I am not a minor;
- _____ I am not de-barred from receiving federal funds;
- _____ I am not on the government "do not pay list";
- _____ I am requesting funds to address fishery-related direct or indirect losses due to COVID-19, and the incurred economic revenue losses are greater than 35%;
- _____ I attest to having documentation/records to support the losses claimed in this application, and that were used as the basis of eligibility;
- _____ I agree to maintain these records until September 30, 2025. Records must be made available upon request from Pacific States Marine Fisheries Commission, the National Oceanic and Atmospheric Administration, or the Office of the Inspector General;
- _____ I attest that the sum of these funds combined with any additional COVID-19 related federal financial assistance and/or any other revenue for calendar year 2020 will not exceed the average annual gross revenue earned across the previous 5 years, and if they do, I will repay the federal government through PSMFC for the surplus up to the amount received for this claim;
- _____ I attest that my business is home-ported or home-based in Oregon, and that my claim is limited to revenues associated with marine and/or anadromous fisheries, and uses gross revenues across all those fishery sectors my business participated in for both 2020 and comparison years;
- _____ If my Oregon business is part of a broader business located in another state, then only the Oregon-based component of the business is part of this claim for Oregon funding, and the Oregon-based component of this claim will not be claimed as part of a funding request from another state;
- _____ If my business and claim are associated with retail of gear/bait/tackle, I attest that this claim is limited to gear/bait/tackle that is used in the water to harvest marine and/or anadromous fish, and that retail sales from this gear/bait/tackle typically comprise over two-thirds of my business' gross annual revenue (insert Not Applicable (NA) if this is not a gear/bait/tackle claim);
- _____ If my business and claim are associated with aquaculture, I attest that this claim is limited to open-system marine aquaculture and is not otherwise eligible for assistance under part 1416 of title 7 of the Code of Federal Regulations for losses related to COVID-19 (insert Not Applicable (NA) if this is not an aquaculture claim).

The information I have provided on this application worksheet and self-certification and assurances form is to the best of my knowledge accurate and true. I certify that I am eligible to receive Fisheries Assistance Funding provided by Sec.12005 of the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

X

Authorized Representative / Fisheries Participant
(Signature)

Date

Last,

First

MI

Authorized Representative / Fisheries Participant
(Please Print)

Request for Taxpayer Identification Number and Certification

Give Form to the
requester. Do not
send to the IRS.

► Go to www.irs.gov/FormW9 for instructions and the latest information.

Print or type. See Specific Instructions on page 3.	1 Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.	
	2 Business name/disregarded entity name, if different from above	
	3 Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes. <input type="checkbox"/> Individual/sole proprietor or single-member LLC <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ► Note: Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is not disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner. <input type="checkbox"/> Other (see instructions) ►	4 Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3): Exempt payee code (if any) _____ Exemption from FATCA reporting code (if any) _____ <i>(Applies to accounts maintained outside the U.S.)</i>
	5 Address (number, street, and apt. or suite no.) See instructions.	Requester's name and address (optional)
	6 City, state, and ZIP code	
	7 List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

Social security number											
				-				-			
or											
Employer identification number											
					-						

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here	Signature of U.S. person ►	Date ►
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General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.