



New England Fishery Management Council

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MEMORANDUM

DATE: September 2, 2026
TO: Scientific and Statistical Committee (SSC)
FROM: Cate O'Keefe, Executive Director
SUBJECT: NEFMC Operational Guidelines for SSC Minority Reports

This memorandum establishes operational guidelines for the preparation, submission, and presentation of minority reports within the New England Fishery Management Council's Scientific and Statistical Committee (SSC). As an advisory body operating under federal open-government requirements and National Standard 2 of the Magnuson-Stevens Act, the SSC must maintain absolute transparency and scientific integrity when formulating advice on Acceptable Biological Catch (ABC) and stock assessments. While the SSC strives for consensus, recording minority scientific views provides the Council with essential context regarding scientific uncertainty and risk. The following procedures outline the rules governing minority report authorship, submission deadlines, incorporation into the official administrative record, and presentation protocols during Council meetings.

The following guidelines, summarized in Table 1, are intended to support the SSC members and Chair if there is a formal minority opinion. Deviation from this guidance is at the discretion of the Council's Executive Director.

- **SSC Recommendations ([Council Operations Handbook](#)):** A quorum is necessary for the development of any ABC recommendation. The committee's recommendations should be consensus statements. Consensus statements shall identify the greatest common perception with caveats. Majority and minority reports could be included in a consensus statement as a last resort. SSC reports shall consist of concise recommendations relative to the terms of reference, rationale, and identification of supporting documents, and technical appendices that document SSC analyses if appropriate.
- **Automatic Inclusion of Minority Reports:** An SSC member or subset of members who disagree with the consensus or majority scientific recommendation (e.g., regarding Overfishing Limit and Acceptable Biological Catch) has the right to submit a minority report. The SSC Chair does not require a vote or unanimous consent from the committee to receive or forward the minority report.

- **Authorship:** SSC minority reports must explicitly identify their authors to satisfy federal transparency laws, uphold scientific integrity under the Magnuson-Stevens Act, and allow the Council, NOAA Fisheries, and the public to verify that dissenting scientific opinions are free from financial conflicts of interest.
- **Recorded in SSC Report:** The minority report is appended directly to the SSC Consensus Report that is provided to Council members and is automatically part of the public administrative record. Minority reports must be submitted to the SSC Chair before the SSC Consensus Report is finalized and closed. The SSC Chair has discretion to set deadlines for minority reports.
- **Scientific Context & Rationale:** The minority report must explicitly state the dissenting opinion and provide scientific rationale for the disagreement (e.g., alternative interpretations of data, uncertainty, or risk tolerances) to satisfy National Standard 2 guidelines.
- **SSC Chair's Role to Report:** The SSC Chair acts as an impartial spokesperson reporting all scientific findings, both majority and minority, to the full Council. The Chair is expected to inform the Council that a minority opinion exists and briefly summarize the minority opinion. The SSC Chair is not accountable for defending or explaining the content of minority reports.

Table 1. Summarized guidance for SSC minority reports.

Step	Party Responsible	Action Required
1. Submission	Dissenting SSC Member(s)	Submit a written minority report including names of all authors to the SSC Chair before the SSC Consensus Report is finalized and closed. The SSC Chair has discretion to set minority report deadlines.
2. Incorporation	SSC Chair and Council Staff	Integrates the minority report into the final SSC Consensus Report as a formal appendix and automatically part of the public administrative record.
3. Oral Presentation	SSC Chair	During the Council meeting, the SSC Chair presents the majority recommendation and informs the Council of the minority view.
4. Council Decision	Full Council	The Council may consider both the majority and minority findings. While the Council is bound by the upper limit of the SSC's Consensus ABC recommendation, minority opinions can inform Council decision-making.