New England Fishery Management Council
50 WATER STREET | NEWBURYPORT, MASSACHUSETTS 01950 | PHONE 978 465 0492
Daniel Salerno, *Acting Chair* | Cate O'Keefe, PhD, *Executive Director*

MEMORANDUM

DATE: September 12, 2025
TO: Council
FROM: Executive Committee
SUBJECT: **Executive Order 14276 on Restoring American Seafood Competitiveness**

NOAA Fisheries tasked the Council with providing recommendations on how it will meet Executive Order (EO) 14276, *Restoring American Seafood Competitiveness* by September 30, 2025. The Executive Committee met on September 4, 2025, to develop recommended actions to "reduce regulatory burdens" and "increase production in domestic fisheries." The Committee reviewed information and recommendations provided by the Executive Director, including descriptions of proposed activities and rationale for each recommended task as detailed in the August 29, 2025 Memorandum "Executive Order 14276 on Restoring American Seafood Competitiveness."

Overview of Input Process and Timeline

The Council requested input from Plan Development Teams (PDTs) and Advisory Panel (AP) members on potential actions that address one or more of the EO's stated goals: *reduce burdens on domestic fishing; increase production; stabilize markets; improve access; enhance economic profitability; or prevent closures.* Members of the public also submitted written comments to the Council. The Executive Committee reviewed a compilation of comments received by the Council from AP members and the public (Attachment 1), and a compilation of comments sent directly to NOAA Fisheries, which includes input about the New England Council (Attachment 2). A summary of PDT input (Attachment 3) was compiled following the Executive Committee meeting. Additional public input that was received after the Executive Committee meeting is provided in Council materials.

***Timeline* - 2025**	
April 17	EO 14276, signed by President Trump, directs federal agencies to: "promote the productive harvest of our seafood resources; unburden our commercial fishermen from costly and inefficient regulation; combat illegal, unreported, and unregulated (IUU) fishing; and protect our seafood markets from the unfair trade practices of foreign nations." Section 4 (i) of the order instructs the Secretary of Commerce to request each Regional Fishery Management Council provide updated recommendations, building on lists first developed in 2020 under EO 13921, *Promoting American Seafood Competitiveness and Economic Growth*. The order further indicates councils will commit to a work plan and an implementation schedule for its recommended actions.
June 24	Council receives update with proposed workplan to solicit input
July 21	Solicitation for input emailed to all current AP members; reminder email on August 8
July-August	PDTs provide input at scheduled meetings and through correspondence
August 15	Input from AP members due to Council staff
September 4	Executive Committee reviews all input and develops recommendations for the Council
September 23	Council considers Executive Committee recommendations and approves final list of actions
September 30	Council recommendations due to NOAA

The Executive Committee requested the Executive Director to ask for guidance at the October Council Coordination Committee (CCC) meeting on next steps in the process and timeline for EO14276 responses and provide an update to the Council in December in coordination with the Council's priority setting process. The Executive Director noted a need for coordination with the Mid-Atlantic Council, Greater Atlantic Regional Fisheries Office, and Northeast Fisheries Science Center if the Council adopts specific Executive Committee recommendations. The regional partners can begin discussions about workplans and timelines at the November Northeast Region Coordinating Council (NRCC). Additionally, NOAA Fisheries is directly accepting public comments about EO14276 until October 14th and is holding Public Listening Sessions on September 25th and October 1st.

Executive Committee Recommendations

The Executive Committee recommendations are based on received input, as well as availability of staff and budget resources. The recommendations are organized into four categories (outlined below). Items 1 through 2 are already included in the Council's 2025 priorities and projects. Additional details for items 3 through 4 are included below. Based on the Council's final recommendations, the template provided by NOAA Fisheries will be updated with all items (i.e., 1 through 4) for submission by September 30, 2025.

General Comments

The Executive Committee reached consensus on all recommendations. The Committee voiced general concern about available staff resources to address all topics and noted that committing to these initiatives may reduce the Council's ability to prioritize other work. The Committee noted other ongoing tasks, including 1) IRA initiatives through 2027, 2) paused 2025 work priorities for herring and groundfish due to unforeseen reductions in resources and decisions from NOAA, and 3) annual statutory requirements. They recommended that the Council consider a multi-year approach for these initiatives and not include all of the projects in 2026 work priorities.

List of Recommendations

1. **Council Actions in the NOAA Fisheries Rulemaking Process**
   - 1.1. Northeast Multispecies Framework Adjustment 69
   - 1.2. Atlantic Herring 2025-2027 Specifications

2. **Council Actions Currently Under Development**
   - 2.1. Omnibus Management Flexibility Amendment
   - 2.2. Actions to Set Specifications for Monkfish and Skates
   - 2.3. Spiny Dogfish Framework Adjustment for Accountability Measures and Specifications
   - 2.4. Sea Scallop Strategic Plan
   - 2.5. Ecosystem Components Evaluation
   - 2.6. Modernizing Approaches to Governance

3. **Possible New Council Actions**
   - 3.1. Modifications to Vessel Baseline Restrictions
   - 3.2. Atlantic Herring Slippage Measures
   - 3.3. Monkfish Management Modifications
   - 3.4. Revisions to Reactive Accountability Measures
   - 3.5. Fishery Management Plan Revisions

4. **Non-Council Actions (Recommendations to Federal Agencies)**
   - 4.1. Seafood Marketing and Promotion
   - 4.2. Fisheries Monitoring and Scientific Programs
   - 4.3. Recreational Bioeconomic Model
   - 4.4. Changing Environment and Fisheries Initiative
   - 4.5. Categorical Exclusions under the National Environmental Policy Act

General Information for Items 1 through 2

1. Council Actions in the NOAA Fisheries Rulemaking Process

The identified actions (1.1 and 1.2) have been approved by the Council and submitted to NOAA Fisheries for review and rulemaking. Although Council work on these actions is completed, the Council may wish to recommend approval and implementation of these actions in response to EO 14276. Both actions include increased catch limits for certain stocks, which were intended to be in place by May 1, 2025, for the Northeast Multispecies fishery and expeditiously following final submission of the Atlantic Herring 2025-2027 specifications that occurred on May 6, 2025. Implementing these actions as soon as possible would reduce burdens on domestic fishing, increase production, improve access, enhance economic profitability, and prevent or lift closures.

2. Council Actions Under Development

Actions currently under development have been identified as potentially responsive to EO 14276.

2.1 Omnibus Management Flexibility Amendment
- Increase management flexibility by revising/removing constraining regulations across the Council's Fishery Management Plans.

2.2 Actions to Set Specifications for Monkfish and Skates
- Provide 5-year specifications to increase flexibility, reduce burdens on domestic fishing, enhance economic profitability, and stabilize markets.

2.3 Spiny Dogfish Framework Adjustment for Accountability Measures and Specifications
- Avoid undue socioeconomic impacts on commercial fishing operations by reducing unnecessary regulatory burdens associated with payback accountability measures and promoting the sustainable and economically viable harvest of U.S. fisheries.

2.4 Sea Scallop Strategic Plan
- Identify priority issues to enhance management of the scallop fishery, including measures that prevent closures, enhance economic profitability, increase production, and reduce burdens on domestic fishing.

2.5 Ecosystem Components Evaluation
- Identify stocks that may be removed from regulatory requirements for conservation and management to alleviate undue burdens of bycatch limits, prevent closures, and increase efficiency of available staff and funding resources.

2.6 Modernizing Approaches to Governance
- Evaluate organizational and operational performance, in coordination with east coast partner organizations, to improve efficiency and effectiveness of management approaches to provide timelier actions, increase public accessibility of information, and reduce burdens on domestic fishing.

Additional Details for Items 3 through 4

3. Possible New Council Actions

3.1 Modifications to Vessel Baseline Restrictions

Issue: Current regulations require that a replacement vessel or an upgrade made to an existing vessel must be within 10 percent of the length and 20 percent of the horsepower of the permit's baseline vessel. The purpose of these restrictions is to limit potential increases in the harvest capacity of the fleet. However, industry participants have reported challenges in acquiring suitable replacement vessels or engines that meet these specifications, particularly in cases where comparable options are not reasonably available with the existing limits. This topic was also identified by the Mid-Atlantic Fishery Management Council (MAMFC), and the description aligns with information developed by MAFMC staff and presented to the MAFMC in August.

Action: The Council, in coordination with GARFO, could evaluate the current baseline restrictions and consider initiating a joint management action with the MAFMC to explore potential modifications to these requirements.

Rationale: Revising vessel baseline restrictions could provide greater flexibility for permit holders seeking to upgrade or replace aging vessels, without compromising the Council's ability to manage overall fleet capacity. This would support safer and more efficient fishing operations while reducing regulatory barriers that may prevent modernization of the fleet.

3.2 Atlantic Herring Slippage Measures

Issue: Under existing regulations, if a herring vessel releases any fish from its nets for reasons of mechanical problems, vessel safety, or because the fish cannot be pumped aboard (e.g., if there are large numbers of dogfish in the catch), the vessel must relocate (i.e., "move along") to a fishing area at least 15 nautical miles from its location. If a vessel releases fish for any other reason (e.g., the vessel is not allowed to retain the species), the vessel must terminate the trip and return to port.

Action: The Council could evaluate the necessity and utility of this regulation and consider including a deregulatory measure in a future Atlantic Herring Fishery Management Plan action.

Rationale: The events that would trigger the "move along" requirement, including mechanical failure, dogfish encounters, and conditions impacting vessel safety, are beyond the control of the vessel and crew. Additionally, the need for slippage restrictions does not appear to have a strong biological or operational basis. Removing the slippage and consequence requirements would support safer and more efficient fishing operations and reduce regulatory burdens that impose costs on the herring fishery.

3.3 Monkfish Management Modifications

Issue: Current regulations specify the absolute number of Days-At-Sea (DAS) that can be used in the northern and southern management areas, as well as bind monkfish DAS to Northeast multispecies (groundfish) and sea scallop DAS. These measures can result in limiting the areas that monkfish vessels can access in a single trip and increase reporting requirements associated with declarations of the type of DAS used.

Action: The Council could develop a white paper to evaluate how the monkfish fishery interacts with other fisheries to consider approaches that may decouple monkfish from groundfish and scallop regulations.

Rationale: Modifications to the monkfish regulations could reduce unnecessary restrictions, improve access to the fishery, and support more efficient resource use.

3.4 Revisions to Reactive Accountability Measures

Issue: Several NEFMC plans include "pound-for-pound payback" when annual catch limits are exceeded in one year by reducing the catch limit in a future year. If a stock is above its biomass target (>100% B_{MSY}), paybacks could be considered unnecessary and overly burdensome to meet conservation and management goals.

Action: The Council could evaluate the effectiveness of pound-for-pound paybacks in preventing overfishing with consideration of the Spiny Dogfish Accountability Measures Framework Adjustment as an example to be applied across multiple Fishery Management Plans.

Rationale: Modifications to reactive accountability measures could minimize negative socioeconomic disruptions while continuing to maintain sustainability of Council-managed resources.

3.5 Fishery Management Plan Revisions

Issue: Several NEFMC plans include outdated regulations that have not been removed due to oversight, focus on other priority topics, or lack of application. The PDTs conducted an evaluation of existing regulations in each of the Fishery Management Plans and identified several provisions that are no longer deemed necessary or effective,

as well as regulations that could be streamlined to improve access and reduce burdens on the fishing industry. Specific examples of identified regulations will be provided for Council review.

Action: The Council could remove outdated and irrelevant regulations through planned Framework Adjustments, a standalone FMP action, or through a rule-making package.

Rationale: Removing unnecessary and overly restrictive regulations could reduce burdens on the fishing industry, increase access, and enhance economic profitability.

4. Non-Council Actions (Recommendations to Federal Agencies)

4.1 Seafood Marketing and Promotion

Issue: Despite being among the most sustainably managed in the world, U.S. seafood products often face competition from lower-cost imports, many of which do not meet the same rigorous environmental and labor standards and may include Illegal, Unreported, and Unregulated (IUU) fishing practices. Public awareness of the benefits of domestically sourced seafood, including its nutritional value, sustainability, and contribution to coastal economies, remains limited. This lack of visibility undermines consumer demand and the economic viability of U.S. fishing and seafood industries. This topic was also identified by the MAMFC, and the description aligns with information developed by MAFMC staff and presented to the MAFMC in August.

Action: NOAA Fisheries and other federal agencies should expand and enhance efforts to promote U.S. seafood through coordinated marketing campaigns, public education initiatives, coordination with sub-national and state initiatives, and support for regional branding strategies that highlight the nutritional importance, sustainability, quality, and economic value of domestic seafood products. This effort must move beyond a non-interactive website to include initiatives that engage the public and reach broad audiences with methods to track progress and performance.
In response to EO 13291 in its October 20, 2020 letter, the Council recommended two priorities that also align with this section:

1) Recommend creating a seafood marketing branch in NMFS- that encourages Americans to buy/cook American caught seafood. The Council recommended that NMFS coordinate development of a national seafood marketing effort, partnering with industry. The Council supports continuation of the recently established Markest and Trade Working Group by NOAA's Office of Science and Technology.
2) Recommend establishing federal policy that imports of seafood, including HMS products, should meet or exceed the same standards of harvest, for example in terms of the gear used and impacts on protected species, and sustainability as fish landed in the U.S. The Council recommended that NMFS convene a working group to identify the steps necessary to implement this policy.

Rationale: Increasing consumer awareness and demand for U.S. seafood is critical to supporting the long-term competitiveness of domestic fisheries. Enhanced marketing and promotion can help differentiate U.S. seafood in the marketplace, build trust and confidence among consumers, and increase the value of landings for fishermen and seafood businesses. By investing in the visibility and marketability of U.S. seafood, we can strengthen coastal economies, reinforce the value of science-based management, and support food security through a more resilient domestic seafood supply chain. A national-level program that emphasizes the sustainable products produced by the U.S. fishing industry would increase demand and help reduce the seafood trade deficit.

In addition, U.S. seafood products have higher harvest standard as a result of the MSA and other applicable law. These standards impose a cost on the fishery. Products from countries with lower standards have a price advantage as a result. Insisting on similar standards would make U.S. products more competitive in the marketplace and would also promote sustainable practices worldwide. This would be in addition to MMPA section 101(a)(2) import provisions.

4.2 Fisheries Monitoring and Scientific Programs

Issue: The New England region has been experiencing a loss of scientific support systems for fisheries management. This includes, but is not limited to, fishery dependent and independent data collection systems and resulting stock assessments. This has contributed to instability in catch advice and fishery yield (e.g., substantial up and down swings in catch advice year over year), impacts to markets and price (e.g., volatile lease prices, reduced supply chains and depressed ex-vessel revenue), loss of community value and infrastructure (e.g., reduced processing capacity, shifts in employment opportunities, loss of reliable and competent crew, and loss of recreational fishing opportunities), and ultimately a trajectory towards substantial decline of the region's fishing industry. Furthermore, recent reduced capacity at NEFSC due to staff and budget reductions threatens to undermine the entire stock assessment enterprise. This topic was also identified by the MAMFC, and the description aligns with information developed by MAFMC staff and presented to the MAFMC in August.

Action: NOAA Fisheries and NEFSC should prioritize sustained support for fisheries monitoring and scientific programs (e.g., fishery-independent surveys including the Bottom Trawl Survey, Scallop Dredge and Habcam Survey, Longline Survey, and increased use of Industry-Based Surveys, at-sea monitoring programs including electronic monitoring systems and observer coverage, port biological sampling, processing of age samples, etc.) and enhance the use of advanced technologies to ensure that stock assessments and science advice meet the needs of fishery management to support robust and sustainable domestic fisheries.

Rationale: Sustained investment in monitoring and research efforts is necessary to identify opportunities to increase harvest and reduce undue burdens on domestic fisheries while maintaining long-term sustainability in changing environmental and fishery conditions. Prioritizing federal support for these programs will enhance the efficiency and competitiveness of U.S. fisheries by ensuring management decisions are grounded in the best available science.

4.3 Recreational Bioeconomic Model

Issue: The Bioeconomic Model was developed by the NEFSC to predict the effect of proposed recreational measures (bag limit, size limit, season) on angler satisfaction, fishing effort, and recreational harvest and discards of cod and haddock in the Gulf of Maine. The Bioeconomic Model has been used in the development of recreational measures for cod and haddock in the Gulf of Maine for 14 years and recently underwent updates as the NEFSC developed a cloud-based Decision Support Tool (DST), which automates the bioeconomic model process. Introduced for use in the development of fishing year 2025 measures, this new process allows primary users (i.e., Recreational Advisory Panel and Groundfish Committee members) to directly run the model and explore possible measures. The Council supports the use of the bioeconomic model in the development of additional Council-managed recreational stocks. The DST-integrated Bioeconomic Model allows recreational measures to be developed and analyzed more efficiently and helps to streamline the decision-making process. The model, including the integrated cloud tool, requires continued maintenance and funding in order to be used in the management process.

Action: NOAA Fisheries should continue to prioritize funding and support for the Bioeconomic Model including the associated cloud-based tool.

Rationale: The Bioeconomic Model provides a mechanism to evaluate the impacts of changes in recreational measures on angler welfare and number of trips. This helps the Council to develop recreational measures that provide the greatest socioeconomic benefits while maintaining harvest and catch within the required levels. Without the Bioeconomic Model and integrated Decision Support Tool, the Council would be unable to predict the impacts of changes in recreational measures on angler welfare and number of trips and would lose a critical tool in the development of recreational measures.

4.4 Changing Environment and Fisheries Initiative

Issue: Changing ocean conditions have impacted distribution and migration patterns, productivity, and predictive capability of marine resources. Under such dynamic environmental changes and static management regimes, domestic fisheries have lost access to historic target species and lack the ability to adapt to new fishing opportunities. The Changing Ecosystems and Fisheries Initiative (CEFI) is a cross-NOAA effort to build the nation-wide, operational ocean modeling and decision support system needed to reduce impacts, increase resilience, and support the economic viability of the U.S. fishing industry. This topic was also identified by the MAMFC, and the description aligns with information developed by MAFMC staff and presented to the MAFMC in August.

Action: NOAA Fisheries and NEFSC should continue to invest in and support CEFI, in particular the continued development and updates to the Modular Ocean Model 6 (MOM6) forecasting tools.

Rationale: The forecasting models developed as part of CEFI have the potential to provide fishermen and managers with valuable tools to support more efficient and productive fishing trips, enable more responsive management, and minimize interactions with protected resources and other non-target species.

4.5 Categorical Exclusions under the National Environmental Policy Act

Issue: Most NEFMC plans require frequent actions to set specifications and other measures. Often, Environmental Assessments (EAs) or Supplemental Information Reports (SIRs) are prepared. However, there may be circumstances when a categorical exclusion (CE) from the National Environmental Policy Act (NEPA) could be considered. Recently, NOAA proposed revisions to its existing CEs and solicited public comments.

Action: NOAA should provide clarification about the types of Council actions that would qualify for a CE.

Rationale: This approach would allow for more efficient document preparation, review, and implementation, as well as enhance public accessibility of information through shorter, more easily understandable documents.