



Council response to EO 14276

as part of B1 Executive Director's report, October 2025

Action Memo

Council Staff: Diana Evans

Other Presenters: Gretchen Harrington and Alicia M. Miller, NMFS

- Action Required:
1. Review the Council's EO 14276 workplan, as submitted to NMFS based on the Council's June 2025 recommendations
 2. Review NMFS expanded discussion paper reviewing regulations
 3. Consider any supplemental recommendations and/or prioritization of workplan actions by Friday, October 3, for a follow-up letter to NMFS
 4. Consider omnibus actions on recordkeeping and reporting, monitoring, and streamlining of regulations (action may be deferred to staff tasking)
 - a. approve list for NMFS development and implementation through Section 305(d) authority
 - b. initiate action for a Council omnibus FMP amendment as needed

Background

In April 2025, the President issued [Executive Order 14276](#), "Restoring American Seafood Competitiveness," which identifies the following policy of the United States: "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 of the Executive Order lists a series of actions for the Secretary of Commerce to undertake, some in partnership with other organizations, to implement this policy.

Section 4(a)(i) of the Executive Order specifically includes the following request for input from the Regional Fishery Management Councils:

(i) The Secretary of Commerce shall request that each Regional Fishery Management Council, within 180 days of the date of this order, provide the Secretary of Commerce with updates to their recommendations submitted pursuant to Executive Order 13921, to reduce burdens on domestic fishing and to increase production. Building upon the earlier goals, identified actions should stabilize markets, improve access, enhance economic profitability, and prevent closures. The Regional Fishery Management Councils will commit to a work plan and a schedule for implementation to ensure these actions are prioritized.

In May, Mr. Eugenio Piñeiro-Soler, Assistant Administrator for NOAA Fisheries, sent a [letter](#) to the Council requesting that recommendations be submitted by September 30th.¹

¹ The original letter included a deadline of September 1st, but the date was subsequently extended to September 30th.

June Council action

In June 2025, the Council reviewed a discussion paper from NMFS during B reports on possible actions to address EO 14276. Because the June 2025 Council meeting was the only NPFMC meeting occurring between the date of receipt and the requested deadline, the Council made a [motion](#) during staff tasking to approve a series of recommendations to submit to the agency.

The Council's motion categorized as follows their recommendations for priority actions that are directly responsive to the criteria of the Executive Order to reduce burdens on domestic fisheries and increase production:

- Actions which are underway in some stage of Council development.
- Actions which the Council has already concluded and submitted to NMFS for rulemaking.
- A series of new actions related to recordkeeping and reporting, monitoring, and streamlining of regulations. The NMFS discussion paper identified many, and the Council added actions related to Lead Level 2 certification requirements for at-sea observers, and the calculated weight for bled sablefish deliveries. If possible, the Council directed that these be prioritized for efficient and timely implementation through the use of Secretarial authority under Section 305(d) of the Magnuson-Stevens Act (MSA), or if requiring an amendment to the Council Fishery Management Plans, that these be packaged for an omnibus analysis.
- Process improvements to increase the agency's ability to use MSA 305(d) rulemaking, to rescind the national allocation review policy directive, and to streamline timing of annual charter halibut measure development.²

The Council motion also directed staff to **develop and submit a workplan** to the agency around these recommendations by the September 30, 2025 deadline. Since June, Council staff have worked with agency staff to list and describe the Council's recommended actions along with a rationale statement of how they meet the objectives of the Executive Order, and the Council's proposed plan and schedule for implementation. This workplan, with its accompanying letter from the Council Chair, will be posted to the Council's October eAgenda once submitted to the agency.

October Council action

Consider any supplemental recommendations and/or prioritization of workplan actions for a follow-up letter to NMFS

Although the deadline for the workplan and recommendations was ostensibly September 30th, conversations with the NMFS Assistant Administrator indicated that should the Council develop any additional comments at the beginning of its October meeting, the agency would also take those into consideration. As such, the Council has scheduled an opportunity to discuss any supplemental recommendations at the October 2025 Council meeting, for a second submittal if necessary. Due to NMFS' obligation to respond to the Executive Order within 180 days, **the Council should complete its recommendations for any supplemental submission to NMFS by Friday, October 3**, during Council action on the B reports.

Actions included in the EO 14276 workplan are identified as either subject to all requirements for Council-developed management actions under the MSA and other applicable law, or ones that can be developed and implemented under MSA 305(d) authority by the Secretary without the normal Council

² Note, these actions have been recategorized in the staff workplan for Council review in October. The MSA 305(d) rulemaking authority is proposed as part of a potential omnibus FMP amendment for Council consideration; the national allocation review policy directive is referred to the NMFS Assistant Administrator for action; and the charter halibut measure timing is listed as a Council action underway in the workplan.

process (see further discussion below). While the high-level workplan recommendations that are responsive to EO 14276 should be identified under the B report discussion, the Council may defer to staff tasking agenda item to initiate an analysis of any new management actions identified in June or added to the Council's workplan at the October Council meeting.

One request from the Assistant Administrator which is not addressed in the letter and workplan developed over the summer by staff, is for the Council to **prioritize among the recommended actions in the workplan**. To assist the Council, NMFS staff have revised and expanded their discussion paper reviewing regulations relative to the Executive Order (expanded version posted to the October eAgenda). Section 2 of the discussion paper discusses relevant factors for the Council when determining priorities among its recommendations.

The **expanded NMFS discussion paper** addresses each of the Council's recommended actions, and adds discussion about the issue, potential solutions, and the implementation vehicle required to pursue that solution. For each action, NMFS staff have evaluated the potential impact that the change could have with respect to cost savings and/or increased harvest, as well as the complexity involved in analyzing and implementing the proposed change (including the need for IT programming or permitting, involvement of partner agencies, additional requirements for compliance or consultation under applicable law, and/or outreach and education to fishery participants.) This information should help the Council evaluate the tradeoffs for each action, balancing benefit provided with respect to the goals of the Executive Order with the capacity or timeline needed to achieve the change. In particular, the Council may find it useful to reference Table 1 in Section 3 of the expanded discussion paper (pp 19-20), which focuses on actions that are still under Council development.

Consider omnibus actions on recordkeeping and reporting, monitoring, and streamlining of regulations

As requested by the Council in June, the NMFS expanded discussion paper (Section 5) identifies actions which remove a regulatory reporting or recordkeeping burden on fishery participants and/or increase operational flexibility, in accordance with recent Executive Orders. Specifically, the discussion paper categorizes which actions can be developed and implemented by NMFS acting on behalf of the Secretary of Commerce under MSA Section 305(d) authority, and which must go through the Council process due to the need to amend Fishery Management Plan (FMP) language. **The Council may undertake these considerations during the staff tasking agenda at the October meeting.**

Approve list for NMFS development and implementation through Section 305(d) authority

As described in Section 5.1 of the discussion paper, the Council generally requests that NMFS implement a specific regulatory change under MSA Section 305(d) authority when that change is either administrative or technical in nature, or when authorized under the framework of an existing FMP provision, often the FMP language that authorizes the Secretary, in consultation with the Council, to "require recordkeeping that is necessary and appropriate to determine catch, production, effort, price, and other information necessary for conservation and management of the fisheries."³ The discussion paper identifies which new actions from June can potentially be developed and implemented by NMFS under MSA Section 305(d) authority.

At this meeting, the Council may wish to **affirm that all of the eligible rulemaking changes identified in the discussion paper should be developed and implemented by NMFS**. A comprehensive list of NMFS-proposed changes is included in Table 3 in Section 5.1 (pp 25-27), and the Council-requested changes from June regarding Lead Level 2 certification and weight deductions for bled sablefish (listed in Table 7 in Section 5.3, p 55) also potentially qualify. Should the Council indicate its assent, it would be the agency's practice to continue to consult with the Council during B reports at future meetings should

³ Section 3.9.1.1 of the BSAI and GOA Groundfish FMPs

their development highlight unforeseen options or impacts. Alternatively, if there are any actions for which the Council does not want the agency to proceed, or in which the Council wishes to participate actively in additional development work, such actions could be included in a Council omnibus amendment, along with FMP changes as listed below.

Initiate action for a Council omnibus FMP amendment

The NMFS discussion paper also describes for which actions the Council must amend one or more of its FMPs in order to move them forward (Section 5.2 and Section 6.1). If the Council is interested in pursuing the actions highlighted in the discussion paper, the Council should **consider initiating an omnibus amendment** to address the following actions:

- Reduce regulatory burden on vessels that catch small amounts of groundfish (described in Section 5.2.1 of the NMFS discussion paper)
- Remove weekly production reports (described in Section 5.2.2)
- Remove shortraker/rougheye species group (described in Section 5.2.3)
- Add a framework mechanism in the FMPs to establish when NMFS should use the MSA Section 305(d) authority to take future actions (described in Section 6.1)
- Housekeeping changes to remove obsolete or duplicative FMP language (e.g., website address as described in Section 5.1.1, EFP process as described in Section 5.1.10), or to simplify the FMP so that modernization in recordkeeping and reporting could more easily occur under MSA Section 305(d) authority in future (as described in Section 5.2)

Additional Executive Order comment opportunities through NMFS

The Regional Fishery Management Council Executive Directors received a packet of formal comment letters from NMFS on July 28, 2025, reflecting letters received to date on the implementation of EO 14276 and related Executive Orders. These **letters are posted as attachment** to the eAgenda for your reference.

Additionally, the agency has also launched an [agency-wide effort to gather direct public input](#) on fishery-related barriers, fisheries management, science, and other priority needs identified in the Executive Order. Specific areas where the agency is looking for input include:

- Regulations that govern fishing activities that may be suspended, revised, or rescinded
- Challenges specific fisheries are facing, suggestions for innovative improvements, and examples of existing federal fishery regulations that could be modified to enhance U.S. fishing businesses
- Ways to improve fisheries management and science, including supporting fisheries assessments through less expensive and more reliable technologies and cooperative research; increasing responsiveness of fisheries management to real-time ocean conditions through modernization of data collection and analysis; and developing and disseminating data, forecasting tools, or information products to help U.S. fishing businesses adapt to changing economic and environmental conditions
- How to expand exempted fishing permit programs to promote fishing opportunities nationwide

The comment period is open through October 14, 2025. Based on communications during the June 2025 meeting, **the agency plans to coordinate with individual Councils on any region-specific recommendations receive through their public comment solicitation; this would occur at a future Council meeting.**