

Saltonstall-Kennedy Act: Background and Issues

Updated November 14, 2025

Congressional Research Service

<https://crsreports.congress.gov>

R46335



R46335

November 14, 2025

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The Saltonstall-Kennedy Act of 1954 (S-K Act; 15 U.S.C. §713c-3) established a program to provide financial support for research and development of commercial fisheries. The S-K Act created a fund (known as the *S-K fund*) that is financed by a permanent appropriation of a portion of import duties on marine fishery products. S-K funds are distributed by the Secretary of Commerce as grants and cooperative agreements to address needs of the U.S. fishing industry, such as harvesting, processing, marketing, and associated infrastructure. Congress typically allocates most S-K funding to the National Marine Fisheries Service (NMFS), part of the National Oceanic and Atmospheric Administration (NOAA), for agency activities related to marine fisheries research and management. Some have questioned whether this allocation of S-K funds reflects the original intent of the S-K Act and addresses the fishing industry's needs and priorities.

Since the creation of the S-K fund, the authorizing language and Congress's priorities for the fund have evolved with the fishing industry's needs, new or amended federal laws governing fisheries management, and changes to NMFS responsibilities. In 1980, the American Fisheries Promotion Act (AFPA; P.L. 96-561) amended the S-K Act to authorize a competitive grant program, known as the Saltonstall-Kennedy Grant Program (S-K Grant Program), and the National Program to support fishing industry research and development projects. NMFS administers both programs. In the 1980s, the S-K Grant Program focused on fisheries development; in subsequent years, as U.S. fisheries became fully or overexploited, priorities generally shifted to resource conservation and management. More recently, Congress established the American Fisheries Advisory Committee (AFAC) through the American Fisheries Advisory Committee Act (P.L. 117-121) to administer elements of the S-K Grant Program and recommend projects for funding to NMFS. The AFAC is an industry advisory committee that identifies the fishing industry's needs, develops requests for proposals, reviews grant applications, and selects grant applications for approval. The S-K Grant Program has supported various projects, such as gear technology research, seafood marketing, and aquaculture.

The S-K Grant Program is funded by a permanent appropriation of 30% of the previous calendar year's customs receipts from imports of fish and fish products. These funds are transferred into NOAA's Promote and Develop American Fisheries Products and Research Pertaining to American Fisheries Fund (P&D account). Transfers of revenue into the P&D account have grown steadily from \$26.7 million in FY1980 to approximately \$376.5 million in FY2024 (nominal dollars, not adjusted for inflation). Congress subsequently transfers most funds into the Operations, Research, and Facilities (ORF) account within NOAA. Congress has directed NMFS to use funds allocated to the ORF account for specific activities, including stock assessments, fishing information networks, survey and monitoring projects, cooperative research, and interjurisdictional fisheries. The remaining funds are available to support the annual competitive S-K Grant Program and, in some cases, the National Program.

Since the early 1980s, Congress has transferred most P&D account funds into the ORF discretionary account, sometimes leaving little or no funding for the specified purposes of the S-K Act. Some critics have questioned whether funds from the P&D account could be used more effectively by targeting fishing industry needs, as Congress originally intended. For example, in the 119th Congress, some Members have introduced bills that would authorize increased allocations for the S-K Grant Program and other purposes. In previous Congresses, some Members proposed legislation that would have included additional priorities (e.g., climate-related priorities) for the S-K Grant Program or would have proposed using S-K funds to establish a regional fisheries grant program. Some stakeholders have expressed concerns that if significant funding were shifted away from NMFS fisheries management programs, additional funds would need to be appropriated or activities such as data collection and fish population assessments could be compromised. These NMFS activities provide information and analyses used to manage and conserve fishery populations. Additional issues of interest may include potential impacts of tariffs imposed by the Trump Administration to future P&D funding amounts, as well as potential implications of Executive Order (E.O.) 14276, "Restoring America's Seafood Competitiveness," and NOAA staffing priorities for ongoing activities with respect to the promotion and development of U.S. fisheries. The impacts of tariffs and E.O. 14276 on S-K funding and the S-K Grant Program are unclear at present, as are NOAA's ongoing priorities for these efforts under the second Trump Administration.

Contents

Introduction	1
General Provisions of the Saltonstall-Kennedy Act	3
The American Fisheries Advisory Committee	3
History of the Saltonstall-Kennedy Act.....	5
Revenue and Use of Funds	8
Use of Funds: Operations, Research, and Facilities Account.....	10
Use of Funds: Remaining Funding	10
Saltonstall-Kennedy Grant Program	12
Issues for Congress.....	13
Congressional Actions.....	14
Funding Allocation.....	14
Stopping the Transfer to the Operations, Research, and Facilities Account	15
Past Proposals to Amend S-K Funding Priorities	16

Figures

Figure 1. Flow and Use of Saltonstall-Kennedy (S-K) Act Funds	2
Figure 2. Total Funds Transferred from USDA and Percentage of Funds Transferred to Operations, Research, and Facilities (ORF)	9

Tables

Table 1. History of Legislation Related to the Saltonstall-Kennedy (S-K) Act.....	7
Table 2. Requested and Enacted ORF Transfers and S-K Grant Program Funding	11
Table A-1. Financing History of the Saltonstall-Kennedy Program.....	17

Appendixes

Appendix. History of Financing Under the Saltonstall-Kennedy Act	17
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Contacts

Author Information.....	19
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Introduction

The Saltonstall-Kennedy Act of 1954 (S-K Act; 15 U.S.C. §713c-3) established a fund (known as the *S-K fund*) to support U.S. fisheries development and research. Funding for the S-K fund originates from a transfer by the Secretary of Agriculture into the Promote and Develop American Fisheries Products and Research Pertaining to American Fisheries Fund (P&D account); the P&D account is administered by the National Marine Fisheries Service (NMFS) of the National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce.¹ Transfers of revenue into the P&D account have grown steadily from \$26.7 million in FY1980 to approximately \$376.5 million in FY2024 (nominal dollars, not adjusted for inflation). Currently, the bulk of P&D account revenue is transferred into NOAA's Operations, Research, and Facilities (ORF) discretionary account (**Figure 1**), which supports fisheries science and management administered by NMFS.² The remaining funds support the Saltonstall-Kennedy Grant Program (S-K Grant Program) and sometimes the National Program, which focus on fishing industry research and development projects.³

Historically, use of the S-K fund has evolved with changing fisheries management institutions and shifting needs of U.S. fisheries.⁴ Congress has considered whether current funding from the P&D account meets the needs of U.S. fisheries and the U.S. fishing industry.⁵ Some stakeholders and Members of Congress have questioned whether the U.S. commercial fishing industry receives sufficient opportunities to provide input into the S-K competitive grant process.⁶ Citing what they have described as a lack of industry input, among other concerns, some critics have asserted that NMFS has not distributed funding in accordance with the primary purposes and stipulations of

¹ The National Marine Fisheries Service (NMFS) also is known as National Oceanic and Atmospheric Administration (NOAA) Fisheries.

² The Operations, Research, and Facilities (ORF) discretionary account, NOAA's largest, funds a portion of all of NOAA's line office budgets and Mission Support. For more information, see CRS Report R48157, *National Oceanic and Atmospheric Administration (NOAA) Budget and Funding: Overview and Issues for Congress*, by Eva Lipiec and Natalie Paris.

³ NOAA, NMFS, "Saltonstall-Kennedy Research Program: Background, Process, and Transparency," p. 7, <https://meetings.npfmc.org/CommentReview/DownloadFile?p=6b955135-a4ad-42f2-a415-6636df6ea502.pdf&fileName=B1%20S-K%20Grant%20Review%20PRESENTATION.pdf>.

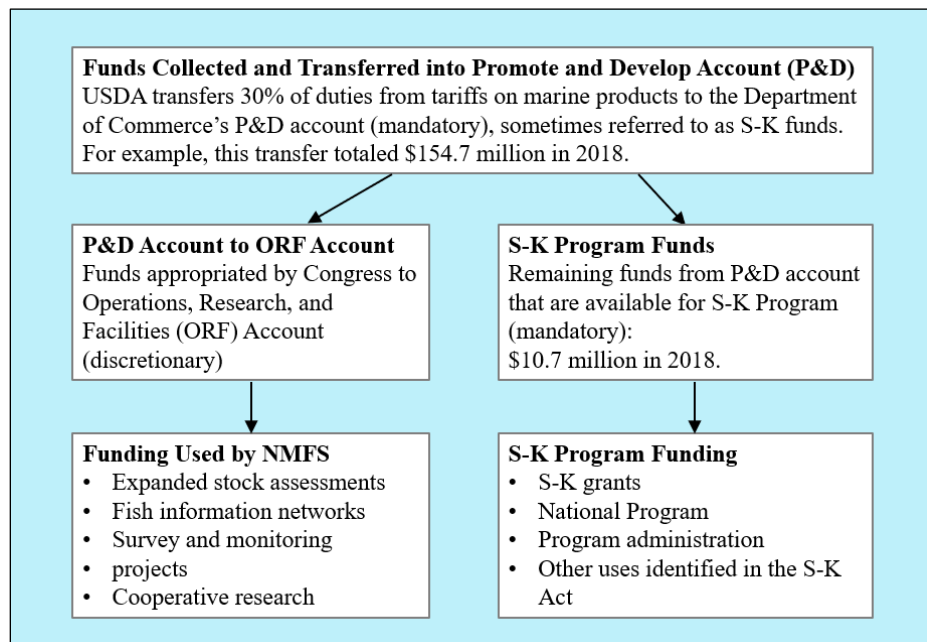
⁴ The Magnuson-Stevens Fishery Conservation and Management Act (MSA), under 16 U.S.C. §1802(13), defines *fishery* as "(A) one or more stocks of fish which can be treated as a unit for purposes of conservation and management and which are identified on the basis of geographical, scientific, technical, recreational, and economic characteristics; and (B) any fishing for such stocks."

⁵ For example, Nathan Strout, "Senate Budget Would Shrink NOAA Fisheries' Budget Slightly, Despite Trump Administration's Demand for Steep Cuts," *Seafood Source*, July 21, 2025, <https://www.seafoodsource.com/news/supply-trade/senate-budget-would-shrink-noaa-fisheries-budget-slightly-despite-trump-administration-s-demand-for-steep-cuts>.

⁶ Senator Lisa Murkowski, "Murkowski, Sullivan Welcome Signing of American Fisheries Advisory Committee Act," press release, May 16, 2022; and Senator Dan Sullivan, "Senators Pass Bill Out of Committee to Give Fishermen Voice in Grant Process, Boost U.S. Seafood," press release, June 29, 2016.

the S-K Act,⁷ such as supporting projects related to the marketing of fish.⁸ Another concern is the allocation of funds, and specifically whether there is a need for more financial support of S-K competitive grants than for funding NMFS fisheries science and management activities in the ORF discretionary account.⁹ If Congress were to reallocate funding to provide greater support of the S-K Grant Program, it may need to consider implications of the likely decrease in funds that would be transferred to ORF from the P&D account to support NMFS fishery research and management activities. Additionally, Congress may wish to consider other administrative priorities for these types of NMFS research and management activities.¹⁰

Figure 1. Flow and Use of Saltonstall-Kennedy (S-K) Act Funds



Source: Congressional Research Service, adapted from National Oceanic and Atmospheric Administration (NOAA), National Marine Fisheries Service (NMFS), “Saltonstall-Kennedy Research Program,” presentation provided to New England Fishery Management Council, December 6, 2018, https://s3.amazonaws.com/nefmc.org/7_NE-Council-Presentation_Feedback-Sessions-Final.pdf.

⁷ As examples, Senator Lisa Murkowski, “Murkowski Supports a Safer and More Prosperous Alaska: Senate Appropriations Approves Commerce, Justice, Science Funding Bill,” press release, June 15, 2018; and Alaska Fisheries Development Foundation, Inc., “Your Support Needed for Saltonstall-Kennedy Act Revision,” May 8, 2012, <https://afdf.org/updates/your-support-needed-for-saltonstall-kennedy-act-revision> (hereinafter Alaska Fisheries Development Foundation, 2012). The Saltonstall-Kennedy Act (S-K Act) requires the Secretary of Agriculture and to use “no less than 60 per centum of such moneys to make direct industry grants to develop [U.S.] fisheries and to expand domestic and foreign markets for [U.S.] fishery products.” 15 U.S.C. §713c-3(b), (c), (f).

⁸ U.S. Congress, Senate Committee on Commerce, Science, and Transportation, *American Fisheries Advisory Committee Act*, committee print, prepared by Committee on Commerce, Science, and Transportation, 115th Cong., 1st sess., December 11, 2017, p. 2; and 15 U.S.C. §713c-3(c)(1), (f)(1)(A).

⁹ *Saving Seafood*, “Senators Kerry and Snowe Will Introduce Bill to Restore Intent of Saltonstall-Kennedy Act,” March 9, 2012.

¹⁰ For example, Executive Order 14276 of April 17, 2025, “Restoring American Seafood Competitiveness,” 90 *Federal Register* 16993-16995, April 22, 2025 (hereinafter E.O. 14276). For more information about this executive order, see CRS In Focus IF13017, *President Trump’s April 2025 Executive Order on American Seafood Competitiveness: Considerations for U.S. Fisheries*, by Anthony R. Marshak.

Notes: ORF = Operations, Research, and Facilities; P&D = Promote and Develop Account; Saltonstall-Kennedy (S-K) Act of 1954 (15 U.S.C. §713c-3); USDA = U.S. Department of Agriculture. For P&D and S-K Program funding values since 2018, see **Table A-1**.

General Provisions of the Saltonstall-Kennedy Act

The S-K Act requires the Secretary of Agriculture to transfer 30% of duties on marine fishery products collected under the so-called Section 32 Program (see **Table 1**) to the Secretary of Commerce.¹¹ These funds are transferred into the P&D account and made available to NMFS. Currently, uses of S-K funds as specified under 15 U.S.C. §713c-3 include

- providing grants in support of fisheries research and development projects under Subsection (c),¹²
- implementing a national fisheries research and development program under Subsection (d),¹³
- implementing the Northwest Atlantic Ocean Fisheries Reinvestment Program,¹⁴ and
- funding the federal share of a fishing capacity reduction fund.¹⁵

The S-K Act requires the Secretary of Commerce to use no less than 60% of funds to make direct industry-assistance grants. The act also requires the balance of S-K funds to be allocated to finance NMFS activities that support development of U.S. fisheries.¹⁶ See the section on “Revenue and Use of Funds” for more information regarding the administration and uses of these funds for fisheries research and development.

The American Fisheries Advisory Committee

The S-K Act, as amended by the American Fisheries Advisory Committee Act (P.L. 117-121), established the American Fisheries Advisory Committee (AFAC), which administers elements of S-K competitive grants.¹⁷ The S-K Act, as amended, includes provisions for the AFAC’s

¹¹ The program’s name is from the section that established the program, Section 32 of the Act of August 24, 1935, Chapter 641, §32; 7 U.S.C. §612c.

¹² 15 U.S.C. §713c-3(c). Subsection (c) refers to topics that may be addressed by research and development grants, including but not limited to “fisheries science, recreational fishing, harvesting, processing, marketing, and associated infrastructures.” Subsection (c) also identifies the terms and conditions of grant awards.

¹³ 15 U.S.C. §713c-3(d). Subsection (d) refers to a national fisheries research and development program (“including but not limited to, harvesting, processing, marketing, and associated infrastructures, if not adequately covered by projects assisted under Subsection (c) of this section or as the Secretary [of Commerce] deems appropriate.”)

¹⁴ The MSA, under 16 U.S.C. §1863, stipulates that the purposes of the Northwest Atlantic Ocean Fisheries Reinvestment Program are “(A) promoting development of commercial fisheries and markets for underutilized species of the northwest Atlantic Ocean; [and] (B) developing alternative fishing opportunities for participants in the New England Groundfish fishery,” among other purposes, including providing technical support and assistance to U.S. fishers and fish processors for underutilized species in the region; providing economic opportunities through improved processing and expanded use of fish waste; and addressing overfished New England groundfish stocks by using aquaculture or hatchery programs.

¹⁵ 16 U.S.C. §1861a(b), (c).

¹⁶ 15 U.S.C. §713c-3(f)(1).

¹⁷ NOAA, NMFS, “American Fisheries Advisory Committee [AFAC],” <https://www.fisheries.noaa.gov/topic/partners/american-fisheries-advisory-committee>; and U.S. Department of Commerce, NOAA, *American Fisheries Advisory Committee Charter*, pp. 1-7, September 2024, <https://www.fisheries.noaa.gov/s3//2024-09/AFAC-Charter.docx>. Hereinafter NOAA, *American Fisheries Advisory Committee Charter*, 2024.

composition, roles and responsibilities, and procedures.¹⁸ In 2022, the American Fisheries Advisory Committee Act changed the process for awarding S-K competitive grants by assigning to the AFAC certain duties that include

- identifying the needs of the seafood industry,
- developing requests for proposals,
- reviewing grant applications, and
- selecting grant applications for approval.¹⁹

Prior to the AFAC's establishment, NMFS performed these functions and considered industry input during the selection process.²⁰ P.L. 117-121 expanded the specified purposes of fisheries research and development projects by explicitly including projects that focus on fisheries science and recreational fishing.²¹

In accordance with statute, the AFAC comprises 22 representatives from six geographic regions of the United States.²² The Secretary of Commerce appoints three members from each region, including (1) an individual with experience as a seafood harvester or processor, (2) an individual with experience in recreational or commercial fishing or in growing seafood, and (3) an individual who represents the fisheries science community or the relevant U.S. regional fishery management council.²³ The Secretary also appoints four at-large members, including (1) an individual who has experience in food distribution, marketing, retail, or service; (2) an individual with experience in the recreational fishing industry supply chain; (3) an individual with experience in the commercial fishing industry supply chain; and (4) an individual who is an employee of NMFS with expertise in fisheries research.²⁴ In selecting these members, the Secretary of Commerce is to seek to maximize, to the extent practicable, a balanced representation of expertise in U.S. fisheries, seafood production, and science.²⁵ The AFAC elects a chair among its members.²⁶ All AFAC members serve three-year terms.²⁷ The AFAC members

¹⁸ 15 U.S.C. §713c-3(e).

¹⁹ 15 U.S.C. §713c-3(e)(5).

²⁰ Functions performed by NMFS included development of priorities by NMFS in coordination with regional fishery management councils, interstate marine fisheries commissions, NOAA Fisheries Science Centers, and NMFS Regional Offices.

²¹ Projects related to recreational fisheries and science historically have been included, but these projects were not explicitly considered in the statute prior to enactment of P.L. 117-121.

²² Region 1 includes Alaska and the Western Pacific, including Hawaii, the Commonwealth of the Northern Mariana Islands, and the territories of Guam and American Samoa. Region 2 includes Connecticut, Rhode Island, Massachusetts, New Hampshire, and Maine. Region 3 includes Texas, Louisiana, Mississippi, Alabama, Florida, Arkansas, Puerto Rico, and the U.S. Virgin Islands. Region 4 includes California, Oregon, Washington, and Idaho. Region 5 includes New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia. Region 6 includes Michigan, Minnesota, Wisconsin, Illinois, Indiana, Ohio, and Pennsylvania. 15 U.S.C. §713c-3(e)(2).

²³ Individuals are to be selected so that members of the AFAC “have experience or expertise with as many seafood species as practicable.” 15 U.S.C. §713c-3(e)(3)(A)(i)-(iv). For more information on U.S. regional fishery management councils, see CRS Report R47645, *U.S. Regional Fishery Management Councils*, by Anthony R. Marshak.

²⁴ Examples in statute of individuals with experience in recreational and commercial supply chains include “fishermen, manufacturers, retailers, and distributors.” 15 U.S.C. §713c-3(e)(3)(B)(i)-(iv).

²⁵ 15 U.S.C. §713c-3(e)(3)(C).

²⁶ NOAA, NMFS, “American Fisheries Advisory Committee Members,” <https://www.fisheries.noaa.gov/national/partners/american-fisheries-advisory-committee-members>; and 15 U.S.C. §713c-3(e)(6).

²⁷ 15 U.S.C. §713c-3(e)(4).

are to meet twice annually, with meetings rotating among the six regions.²⁸ The Secretary is to designate an agency staff member to coordinate and assist with the AFAC's activities.²⁹

The Secretary of Commerce is to identify three or more federal, private, or public sector experts to undertake technical review of grant applications, which occurs prior to committee review.³⁰ The Secretary also is required to develop guidance related to technical review, including criteria for elimination of applications that fail to meet a minimum level of technical merit.³¹ A grant may not be approved unless the Secretary is satisfied with the applicant's technical and financial capability.³² Based on the AFAC's recommendations, the Secretary of Commerce is to evaluate the proposed project according to listed criteria and other criteria that the Secretary may require.³³ If the Secretary fails to provide funds to a grant selected by the AFAC, the Secretary is required to send a written document to the AFAC justifying the decision.³⁴

History of the Saltonstall-Kennedy Act

Congress passed the S-K Act in 1954, but the act's legislative history began in 1935 (**Table 1**). Congress last amended the S-K Act in the 117th Congress through passage of the American Fisheries Advisory Committee Act (P.L. 117-121).

In 1935, Congress passed legislation to provide financial support for domestic agricultural commodity markets. Section 32 of the Act of August 24, 1935, provided a permanent appropriation equal to 30% of gross receipts from all duties collected under customs laws.³⁵ The act authorized the Secretary of Agriculture to use these funds to support exports and domestic consumption of agricultural commodities. The Act of August 11, 1939, authorized the Secretary of Agriculture to transfer up to \$1.5 million from funds collected under Section 32 to support the fishing industry. Funds were transferred to the Federal Surplus Commodities Corporation to purchase and distribute surplus fishery products and to the Secretary of the Interior to promote markets for fishery products of domestic origin.³⁶

In 1954, the S-K Act amended the Act of August 11, 1939, to provide additional funding from Section 32 funds to support the U.S. fishing industry.³⁷ The S-K Act authorized the transfer from the Secretary of Agriculture to the Secretary of the Interior,³⁸ from the larger Section 32 account's

²⁸ 15 U.S.C. §713c-3(e)(8).

²⁹ 15 U.S.C. §713c-3(e)(9).

³⁰ 15 U.S.C. §713c-3(e)(12)(A).

³¹ 15 U.S.C. §713c-3(e)(12)(B); and NOAA, NMFS, "Frequent Questions About the Saltonstall-Kennedy Grant Program," <https://www.fisheries.noaa.gov/funding-financial-services/frequent-questions-about-saltonstall-kennedy-grant-program>.

³² 15 U.S.C. §713c-3(c)(3).

³³ 15 U.S.C. §713c-3(c)(3)(A).

³⁴ 15 U.S.C. §713c-3(c)(3)(B).

³⁵ The Act of August 24, 1935, Chapter 641, §32; 7 U.S.C. §612c. See CRS In Focus IF12193, *Farm and Food Support Under USDA's Section 32 Account*, by Jim Monke; and CRS Report RL34081, *Farm and Food Support Under USDA's Section 32 Program*, coordinated by Jim Monke.

³⁶ Act of August 11, 1939, Chapter 696; 15 U.S.C. §713c-2. The Act of 1939 authorized the Secretary of Agriculture to transfer these funds to the Federal Surplus Commodities Corporation under the Section 32 program.

³⁷ Act of July 1, 1954, Chapter 447; 15 U.S.C. §713c-3.

³⁸ Prior to the transfer of duties for marine fisheries to the Department of Commerce (via the Reorganization Plan No. 4 of 1970), NMFS's predecessor, the Bureau of Commercial Fisheries, was included under the Department of the Interior, as established in the Fish and Wildlife Act of 1956 (P.L. 1024, Chapter 1036). The White House, (continued...)

funding, an amount equal to 30% of gross receipts from duties collected on fishery products.³⁹ These funds were maintained in a separate account for use by the Secretary of the Interior to support the flow of fishery products in commerce, develop and increase markets for fishery products, and conduct research. Annual expenditures from the fund were limited to \$3 million, and the balance of the fund was not allowed to exceed \$5 million at the end of any year. In 1956, the S-K Act was amended to remove the limit on annual expenditures from the fund.⁴⁰ The S-K Act also authorized the Secretary of the Interior to appoint a fishing industry advisory committee to provide guidance on the formulation of policy, rules, and regulations pertaining to requests for assistance, and other matters.⁴¹

In 1976, the Fishery Conservation and Management Act (FCMA; P.L. 94-265) established a 200-nautical-mile fishery conservation zone (FCZ) and brought marine fisheries within the FCZ under domestic control.⁴² The FCMA allowed foreign fishing to continue in the FCZ, but it granted priority fishing rights to the domestic fishing industry.⁴³ In the following years, U.S. policy emphasized development of domestic fisheries and replacement of foreign fishing with domestic fishing in the FCZ (e.g., through implementation of the Magnuson-Stevens Fishery Conservation and Management Act [MSA; 16 U.S.C. §1801 et seq.]).⁴⁴ According to the U.S. Government Accountability Office, until 1979, NMFS used nearly all S-K funds to support fisheries management and development activities—NMFS granted only small amounts to the fishing industry for development projects.⁴⁵ In 1979, likely because of growing industry support of domestic fisheries development, NMFS made available approximately \$5.3 million of S-K funds to regional fisheries development foundations, universities, private industry, and state and local governments.⁴⁶

In 1980, Congress formally authorized the current competitive S-K Grant Program in Section 210 of the American Fisheries Promotion Act (AFPA; P.L. 96-561). The AFPA directed the Secretary of Commerce to use at least 50% of S-K funds for the S-K Grant Program and the balance of funds for a National Program. Both programs supported research and development efforts to address areas such as harvesting, processing, marketing, and related infrastructures. By 1980, the transfer from the U.S. Department of Agriculture (USDA) had grown to \$26.7 million (**Table A-1**). The AFPA also formally transferred responsibility for administering the fund from the

Reorganization Plan No. 4 of 1970, Title 5, Appendix-Reorganization Plan No. 4 of 1970, July 9, 1970, pp. 221-223, <https://darrp.noaa.gov/sites/default/files/Reorganization%20Plan%20No.%204%20of%201970.pdf>.

³⁹ Products included fish, shellfish, mollusks, crustaceans, aquatic plants and animals, and any products thereof, including processed and manufactured products.

⁴⁰ Fish and Wildlife Coordination Act (P.L. 1024, Chapter 1036, §12(b)).

⁴¹ Act of July 1, 1954, Chapter 447, §2(c).

⁴² On March 10, 1983, President Reagan issued Proclamation 5030, which established the 200-nautical-mile exclusive economic zone (EEZ). The EEZ provided sovereign rights over the natural resources in the zone, including fisheries, and replaced the fishery conservation zone established by the Fishery Conservation and Management Act (P.L. 94-265) in 1976.

⁴³ Foreign fishing was allocated the surplus after U.S. domestic fishing needs were met. Allocations to foreign operations were terminated when the surplus was completely utilized by U.S. domestic fishing.

⁴⁴ The capacity of U.S. domestic fishing fleets increased during the 1980s; by 1990, domestic fleets had replaced nearly all foreign fishing fleets operating in the U.S. EEZ. Daniel S. Holland, "Governance of Fisheries in the United States," in *Handbook of Marine Fisheries Conservation and Management*, eds. R. Quentin Grafton et al. (New York, NY: Oxford University Press, 2010), pp. 382-392.

⁴⁵ U.S. Government Accountability Office (GAO), *Uses of Saltonstall-Kennedy Fisheries Development Funds*, August 30, 1985, <http://www.gao.gov/assets/150/143275.pdf>. GAO was called the General Accounting Office when the report was written in 1985. Hereinafter cited as GAO, 1985.

⁴⁶ GAO, 1985.

Secretary of the Interior to the Secretary of Commerce. The House committee report accompanying the AFPA noted that the definition of *fishery* includes recreational fishing and that recreational projects would be eligible for grants.⁴⁷ The AFPA also removed a section that established the S-K fishing industry advisory committee; the advisory committee had been previously terminated pursuant to the Federal Advisory Committee Act (P.L. 92-463).⁴⁸

Congress has made additional changes to the allocation and use of the S-K fund (**Table 1**). The Highway Improvement Act of 1982 (P.L. 97-424) increased the share of funds used for the competitive grant program from 50% to 60%. In the following years, potential uses of the fund were broadened to include the Fisheries Promotion Fund (P.L. 99-659), the Northwest Atlantic Ocean Fisheries Reinvestment Fund (P.L. 102-567), and the federal share of a fishing capacity reduction program (P.L. 104-297). Congress established the Fisheries Promotion Fund to support domestic and international markets for domestically produced seafood; a portion of S-K funds was transferred to the fund from FY1987 to FY1991 for this purpose (**Table A-1**).⁴⁹ In 2022, through the American Fisheries Advisory Committee Act (P.L. 117-121), Congress modified the process for awarding S-K competitive grants, including in its establishment of the AFAC to administer elements of the grant process.

Table 1. History of Legislation Related to the Saltonstall-Kennedy (S-K) Act

Year	Act	Brief Description
1935	Act of August 24, 1935, Chapter 641, Section 32	Established a permanent appropriation (§32) to set aside 30% of annual customs receipts; supported the farm sector by authorizing the purchasing of surplus commodities and funding various other activities.
1939	Act of August 11, 1939 (P.L. 76-392), Chapter 696, Section 1	Authorized the purchase and distribution of surplus fishery products with funding of up to \$1.5 million per year.
1954	Act of July 1, 1954 (Saltonstall-Kennedy Act), Chapter 447	Required U.S. Department of Agriculture to transfer to the Department of Commerce 30% of duties on marine products to fund U.S. fisheries and limited expenditures to no more than \$3 million per year.
1956	Fish and Wildlife Act of 1956, Act of August 8, 1956, Chapter 1036, Section 12(b)	Removed limitation on annual expenditures.
1980	American Fisheries Promotion Act (P.L. 96-561), Title II, Section 210	Authorized competitive grants and national fisheries research and development programs; directed that at least 50% of funds be used for a competitive grant program, with the balance for the National Program.
1983	Highway Improvement Act of 1982 (P.L. 97-424), Title IV, Section 423(a)	Increased competitive grant share to at least 60% of funds; stipulated that S-K funds were to be used exclusively for promoting U.S. fisheries.
1986	Fish and Seafood Promotion Act of 1986 (P.L. 99-659), Title II, Section 209(e)	Expanded authorized uses of S-K funds to include the Fisheries Promotion Fund for several years.

⁴⁷ U.S. Congress, House Committee on Merchant Marine and Fisheries, *American Fisheries Promotion Act*, report to accompany H.R. 7039, 96th Cong., 2nd sess., June 26, 1980, H. Rept. 96-1138, p. 39.

⁴⁸ 5 U.S.C. App., Section 14, of the Federal Advisory Committee Act (P.L. 92-463) terminated advisory committees within two years of the law's enactment (January 5, 1973) unless the committee was renewed within that two-year period or, in the case of a committee established by Congress, its duration was otherwise provided by law.

⁴⁹ Funding levels included \$750,000 in FY1987, \$2.6 million in FY1988, \$3 million in FY1989, \$2 million in FY1990, and \$2 million in FY1991.

Year	Act	Brief Description
1992	National Oceanic and Atmospheric Administration Authorization Act of 1992 (P.L. 102-567), Title IX, Section 902(c)	Expanded authorized uses of S-K funds to include implementation of the Northwest Atlantic Ocean Fisheries Reinvestment Program.
1996	Sustainable Fisheries Act (P.L. 104-297), Title I, Section 116(c)	Expanded authorized uses of S-K funds to include the federal share of a fishing capacity reduction program.
2013	Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6), Title I	Restricted the use of the Promote and Develop Fisheries Products funds transferred to the Operations, Research, and Facilities account to cooperative research, annual stock assessments, data collection, interjurisdictional fisheries grants, and fisheries information networks. Subsequent appropriations acts have adopted similar language.
2022	American Fisheries Advisory Committee Act (P.L. 117-121)	Modified the process for awarding competitive grants, including through the establishment of, and assignment of duties to, the American Fisheries Advisory Committee for administering elements of the grant process.

Source: Congressional Research Service.

Revenue and Use of Funds

The revenues that are transferred into NOAA's P&D account from USDA are derived from duties on fishery products, "including fish, shellfish, mollusks, crustaceans, aquatic plants and animals, and any products thereof, including processed and manufactured products."⁵⁰ The P&D account is a mandatory fund that requires no periodic reauthorization or appropriation.⁵¹ Transfers into NOAA's P&D account have steadily increased from \$26.7 million in FY1980 to approximately \$376.5 million in FY2024 (**Figure 2**). According to NOAA, in calendar year (CY) 2017, approximately 77.0% of revenues were from duties collected on imports of nonedible marine products, including jewelry, ink, various chemicals, and skins.⁵² The remaining 23.0% of revenues were from duties on imports of edible seafood products.

According to NMFS foreign fishery trade statistics, in CY2024, total calculated duties on identified fishery imports amounted to approximately \$364.0 million,⁵³ or 96.5% of the amount

⁵⁰ 15 U.S.C. §713c-3(b)(1). Duties are collected by calendar year (CY) but not appropriated for use until the subsequent fiscal year (FY), such that collections from CY2022 would be appropriated in FY2024 (i.e., the FY following completion of the full CY).

⁵¹ When funds from the Promote and Develop American Fisheries Products and Research Pertaining to American Fisheries Fund (P&D) account are used to offset ORF funding, the funding is considered to be discretionary because the ORF is a discretionary account. However, P&D funds used for the S-K Grant Program or the National Program that are identified in law as mandatory funding are not used by NOAA to offset ORF funding.

⁵² NOAA Ocean and Coastal Budget Formulation and Communication, NOAA Budget Office, July 12, 2018. For more information on tariffs, see the Harmonized Tariff Schedule (HTS) of the United States, <https://hts.usitc.gov/>. Most aquatic products are found in HTS chapters 3 and 16, but additional aquatic products can be found in other chapters of the HTS.

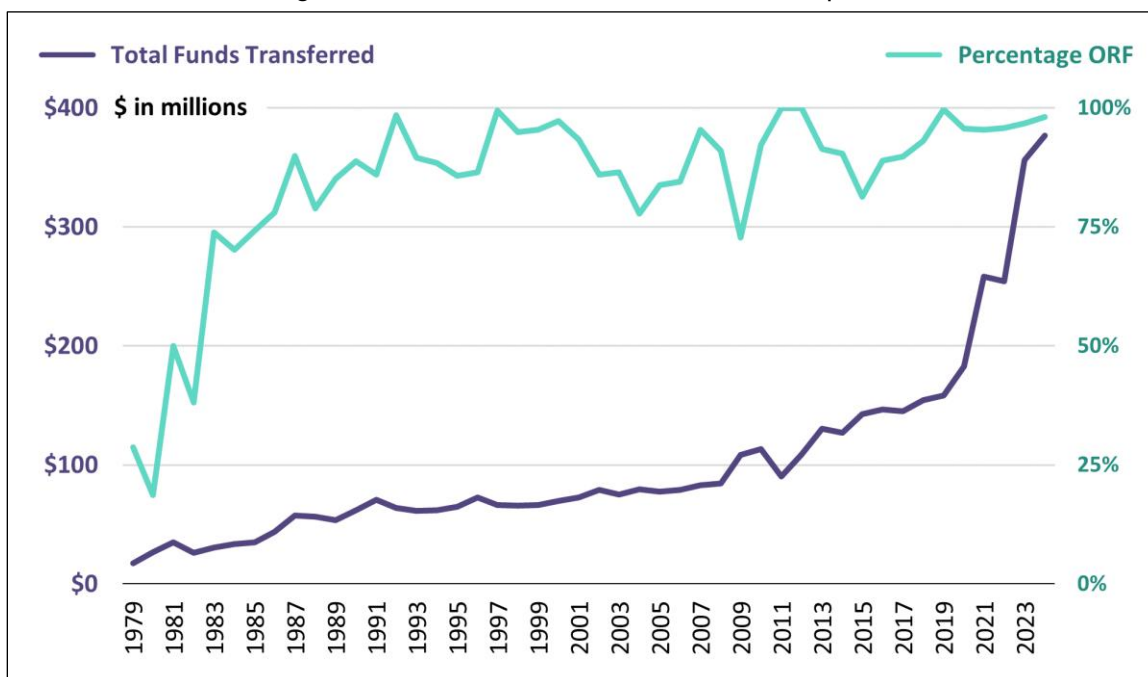
⁵³ The U.S. Census Bureau cautions that estimates of calculated duty do not necessarily reflect amounts of duty paid and should be used with caution. For example, factors such as foreign processing and assembly or situations where portions of the value may be eligible for duty-free consideration may lead to overstatement or understatement in estimates of calculated duty. U.S. Census Bureau, "International Trade Definitions," <https://www.census.gov/foreign-trade/reference/definitions/index.html#C>.

requested by NOAA for its P&D account in FY2025.⁵⁴ According to NMFS trade statistics, the majority of calculated duties (i.e., 95.3% cumulatively) collected on identified fishery imports in CY2024 were from edible seafood products, including unclassified edible products (34.8%), tilapia (25.7%), albacore tuna (6.3%), caviar and caviar substitutes (4.2%), and additional miscellaneous edible products (24.3%). The remaining 4.7% of calculated duties mostly were from unclassified nonedible products. As of CY2024, tariffs on edible fish products had been reduced or eliminated for many seafood products, and most remaining duties were collected on canned products (e.g., tuna) or processed products (e.g., fish sticks).⁵⁵ In CY2024, most duties were collected on identified fishery imports from China (\$232.9 million), followed by Thailand (\$59.8 million), Vietnam (\$19.2 million), Ecuador (\$13.5 million), and Indonesia (\$4.7 million).⁵⁶ As of November 14, 2025, CRS had not identified any published accounting of amounts available for NOAA's P&D account in response to tariffs enacted by the Trump Administration.

Figure 2. Total Funds Transferred from USDA and Percentage of Funds Transferred to Operations, Research, and Facilities (ORF)

(FY1979 to FY2024; nominal dollars)

Figure is interactive in the HTML version of this report.



Source: National Oceanic and Atmospheric Administration (NOAA), Budget Office, Email, January 20, 2020; National Marine Fisheries Service (NMFS), *Saltonstall-Kennedy Grant Program: Fisheries Research and Development Reports* 2008, 2001, 1991-1992, 1987-1990, and 1982-1986; and NOAA, "Budget and Reports," <https://www.noaa.gov/organization/budget-finance-performance/budget-and-reports>.

Notes: USDA = U.S. Department of Agriculture. Data included on the primary axis (left axis; purple line) are the total funds (nominal value; not adjusted for inflation) transferred from USDA to the NOAA Promote and

⁵⁴ NOAA, NMFS, "Foreign Fishery Trade Data," accessed September 2, 2025, <https://www.fisheries.noaa.gov/national/sustainable-fisheries/foreign-fishery-trade-data> (hereinafter, NOAA, NMFS, "Foreign Fishery Trade Data"); and NOAA, *Budget Estimates, Fiscal Year 2025*, Congressional Submission, March 2024, pp. NMFS-137, https://www.noaa.gov/sites/default/files/2024-03/NOAA_FY25_Congressional_Justification.pdf.

⁵⁵ NOAA, NMFS, "Foreign Fishery Trade Data."

⁵⁶ NOAA, NMFS, "Foreign Fishery Trade Data."

Develop American Fisheries Products and Research Pertaining to American Fisheries Fund (P&D account) since FY1979. Data included on the secondary axis (right axis; green line) are the percentage of funds from the P&D account that were ultimately transferred to the NOAA ORF account since FY1979. For a detailed account of funding, including real dollar values for the NOAA P&D account (i.e., 2025 USD; adjusted for inflation), see **Table A-1**.

Use of Funds: Operations, Research, and Facilities Account

Congress has allocated a growing portion of revenue in the P&D account to the ORF account rather than funding the S-K Grant Program as prescribed by the S-K Act. The transfer to the ORF account has ranged from \$5 million, or 29% of the P&D account in 1979, to over \$174 million in the five most recent years reported by NOAA (FY2020-FY2024), which is more than 95% of the annual transfer into the P&D account (**Figure 2**; **Table 2**). ORF funds are used “to support fisheries research and management activities including the analysis and decision-making that supports ecosystem approaches to management.”⁵⁷ Often the allocation of most funds to the ORF account limits the funding that is available for the specified purposes of the S-K Act.

In 2013, Congress restricted the use of P&D funds that were transferred into the ORF account that year.⁵⁸ It limited this funding to fisheries activities related to cooperative research, annual stock assessments, survey and monitoring projects, interjurisdictional fisheries grants, and fish information networks. In subsequent years, agency budget requests have reflected this intent by identifying similar areas, and Congress has continued to include similar language in appropriations laws and accompanying Senate committee reports.⁵⁹ In more recent fiscal years (FY2025-FY2026), however, the NOAA budget request has proposed that all P&D account funding be transferred to the ORF account in support of NMFS activities.

Use of Funds: Remaining Funding

In most years, the majority of funds that remain in the P&D account after the transfer into the ORF account have been used for the competitive S-K Grant Program as described in Subsection (c) of the S-K Act and the National Program as described in Subsection (d) (**Table 2**).⁶⁰ The amount of remaining funding for the S-K Grant Program has varied from year to year, ranging from no funding in FY2011 and FY2012, when Congress did not leave any remaining funding for the S-K program, to a high of \$29.5 million in FY2009 (**Table 2**). Since 2020, annual remaining funding for the S-K program has averaged approximately \$9.5 million per year.

The S-K Act directs the Secretary of Commerce to use no less than 60% of funds for fisheries research and development grants pursuant to Subsection (c). The act also requires the Secretary to use the remaining funds to finance NMFS activities directly related to U.S. fisheries development, as outlined in Subsection (d). Since 1982, S-K grant funding has been less than 30% of total transfers from USDA, and it has been lower in most years. In many years, Congress did not fund the National Program or provided a small portion of the remaining funds for that purpose. For FY2026, the Senate Committee on Appropriations proposed \$10 million for the S-K Grant

⁵⁷ NOAA, NMFS, *The Saltonstall-Kennedy Grant Program: Fisheries Research and Development Report*, 2011.

⁵⁸ Consolidated and Further Continuing Appropriations Act, 2013 (P.L. 113-6), March 26, 2013, 127 STAT. 239.

⁵⁹ As examples, P.L. 113-76, P.L. 113-235, P.L. 114-113, and P.L. 115-31 added the S-K Grant Program to the list of fishery-related activities that should be funded from the P&D account. Fishery-related activities identified in P.L. 115-141, P.L. 116-6, and P.L. 116-93 included the S-K Grant Program, fishery data collection, surveys and assessments, and interjurisdictional fisheries.

⁶⁰ 15 U.S.C. §713c-3(c) and (d). A portion of the remainder also has been used to administer the use of S-K funds for the S-K Grant Program and the National Program.

Program, as communicated in S.Rept. 119-44, accompanying the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2026 (S. 2354) in the 119th Congress.⁶¹

Table 2. Requested and Enacted ORF Transfers and S-K Grant Program Funding
(funding in thousands of dollars)

Fiscal Year	Request ORF Transfer	Request S-K Grant Program Funding	Enacted ORF Transfer	Remaining Funding for S-K Grant Program ^a
2007	77,000	2,283	79,000	3,816
2008	77,000	5,816	77,000	7,594
2009	79,000	5,594	79,001	29,510
2010	104,600	9,400	104,600	8,771
2011	104,600	8,771	90,239	0
2012	66,200	5,000	109,098	0
2013	119,064	5,000	119,064	11,172
2014	123,164	8,208	115,000	12,187
2015	123,164	8,208	116,000	26,615
2016	130,164	13,574	130,164	16,225
2017	130,164	15,647	130,164	14,909
2018	154,199	0	144,000	10,664
2019	154,868	0	157,980	426
2020	158,407	0	174,774	8,009
2021	183,834	0	246,171	12,000
2022	246,171	7,989	243,532	10,628
2023	348,871	7,530	344,901	11,500
2024	355,081	7,530	369,522	7,000
2025	377,363	0	N/A	N/A
2026	409,644	0	N/A	N/A

Sources: National Oceanic and Atmospheric Administration (NOAA), Budget Office, Email, January 20, 2020; NOAA, Budget Office, Email, December 2, 2019; and NOAA, "Budget and Reports," <https://www.noaa.gov/organization/budget-finance-performance/budget-and-reports>.

Notes: N/A = Not available; ORF = NOAA Operations, Research, and Facilities account; S-K Grant Program = Saltonstall-Kennedy Grant Program. No information regarding FY2025 enacted ORF transfer and remainder of funds was included in the FY2026 NOAA budget justification.

a. Includes the S-K Grant Program, National Program, and NOAA National Marine Fisheries Service administrative costs.

Historically, Congress also provided financial support for the Fisheries Promotion Fund, which was funded between \$750,000 and \$3 million from FY1987 to FY1991 (**Table A-1**).⁶² No funding has been provided for the Fisheries Promotion Fund since 1991. From FY2003 to FY2006, most

⁶¹ No language regarding the S-K Grant Program was included in H.Rept. 119-272, accompanying the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2026 (H.R. 5342) in the 119th Congress.

⁶² 16 U.S.C. §4008.

funding remaining after the ORF transfer was used for congressionally directed projects that supported several regional seafood marketing initiatives (**Table A-1**).⁶³ Annual S-K reports from the agency and other sources indicate that S-K funds have not been used for either the Northwest Atlantic Ocean Fisheries Reinvestment fund or the fishing capacity reduction program.⁶⁴

Saltonstall-Kennedy Grant Program

According to NMFS, general goals of the S-K program are to fund projects that address the needs of fishing communities, optimize economic benefits by building and maintaining sustainable fisheries, and increase other opportunities to keep working waterfronts viable.⁶⁵ Historically, projects funded by the S-K Grant Program have included, for example, enhancing markets for fishery products, examining fishery management options, and developing more efficient and selective fishing gear. Projects often have focused on both state and federal marine commercial fisheries, and other sectors—such as aquaculture and recreational fishing—also have been eligible for and have received funding.

NMFS solicits proposals as a federal funding opportunity on the federal grants website, which includes funding priorities, application requirements, and proposal evaluation criteria.⁶⁶ Funding priorities are developed annually by the AFAC. For example, in FY2020, S-K program priorities were seafood promotion, development, and marketing, and science or technology that promotes sustainable U.S. seafood production and harvesting.⁶⁷ NMFS included similar priorities for the FY2025 S-K grant competition.⁶⁸

According to the AFAC charter, the AFAC annually identifies the needs of U.S. marine fishing communities and finalizes priorities for the annual competitive grant solicitation.⁶⁹ The review process includes (1) pre-proposal review, (2) technical review and ranking, (3) panel review and ranking, and (4) grant selection. Pre-proposals undergo an administrative review by the AFAC, which recommends to NMFS those pre-proposals to be encouraged to submit full proposals for review. Full review includes administrative screening; technical review by federal, public, and private sector experts; and funding recommendations by the AFAC to program and NMFS leadership.

AFAC communicates to NMFS which proposals have been recommended by the AFAC for funding. The committee weighs its recommendations based on the proposals' ranking and other considerations, such as availability of funding, balance and distribution of funds, and duplication.⁷⁰ Congress also has reinforced this approach in directives to NMFS, such as in the

⁶³ S-K funds have supported congressionally directed projects focused generally on regional marketing initiatives, including \$10 million in FY2003, \$17.5 million in FY2004, \$12 million in FY2005, and \$12 million in FY2006. Also see **Table A-1**.

⁶⁴ NOAA, NMFS, "Saltonstall-Kennedy Research and Development Program," <https://www.fisheries.noaa.gov/national/funding-financial-services/saltonstall-kennedy-research-and-development-program>. Hereinafter NOAA, NMFS, "Saltonstall-Kennedy Research and Development Program."

⁶⁵ NOAA, NMFS, "Saltonstall-Kennedy Research and Development Program."

⁶⁶ NOAA, NMFS, "Saltonstall-Kennedy Grant Competition," <https://www.fisheries.noaa.gov/grant/saltonstall-kennedy-grant-competition>. Hereinafter, NOAA, NMFS, "Saltonstall-Kennedy Grant Competition."

⁶⁷ NOAA, NMFS, "Saltonstall-Kennedy Grant Program: Funding Opportunities," December 2019, <https://www.fisheries.noaa.gov/grant/saltonstall-kennedy-grant-program>.

⁶⁸ NOAA, NMFS, "Saltonstall-Kennedy Grant Competition."

⁶⁹ NOAA, *American Fisheries Advisory Committee Charter*, 2024; and NOAA, NMFS, "Saltonstall-Kennedy Grant Competition."

⁷⁰ NMFS, "FY20 Saltonstall-Kennedy Competition," May 31, 2019, <https://www.grants.gov/web/grants/search-grants.html?keywords=saltonstall> (search in "Archived" status).

explanatory statement for the Consolidated Appropriations Act, 2023 (P.L. 117-328).⁷¹ In the past, NMFS has considered whether the program and fishing industry would benefit from placing greater emphasis on monitoring approved projects and disseminating results. For example, during 2019, feedback sessions were arranged with regional fishery management councils to solicit constituents' views on how to improve the dissemination and use of results from funded projects.⁷²

Issues for Congress

Some fishing industry representatives have suggested the U.S. commercial fishing industry and fishing communities could benefit from greater direct support from S-K funding.⁷³ Relatedly, some industry representatives have raised concerns about whether the competitive grant process has included sufficient fishing industry input and whether a greater portion of P&D funds should be allocated to the annual S-K Grant Program.⁷⁴ Some stakeholders and Members of Congress have asserted that NMFS decides by its own criteria which programs receive grants and that in some cases the fishing industry's priorities do not match those of NMFS.⁷⁵ These Members and stakeholders have contended that broader, more direct fishing industry participation is needed to inform the process of identifying the needs and priorities of grant funding. Congress addressed some of these concerns through passage of the American Fisheries Advisory Act (P.L. 117-121). Some industry concerns regarding future funding of the S-K program and its funding priorities continue.⁷⁶

Another question from stakeholders regarding S-K Act implementation has been whether a greater portion of P&D funding should be allocated to the S-K Grant Program.⁷⁷ Some Members have contended that Congress, as reflected in statute, intended to provide funding primarily to the S-K Grant Program and to allocate remaining funding to the National Program for fishing industry research and development.⁷⁸ A counterargument is that shifting significant funding from current NMFS activities may prompt questions about whether additional discretionary funding would be forthcoming to support other NMFS functions, such as data collection and fish population assessments.

⁷¹ Joint Explanatory Statement Submitted by Mr. Leahy, Chair of the Senate Committee on Appropriations, Regarding H.R. 2617, Consolidated Appropriations Act, 2023, *Congressional Record*, daily edition, vol. 168, no. 198 (December 20, 2022), p. S7908.

⁷² Mid-Atlantic Fishery Management Council, "Saltonstall-Kennedy Grant Program - Public Feedback Webinar," press release, June 14, 2019, <http://www.mafmc.org/council-events/2019/saltonstall-kennedy-grant-program-public-feedback-webinar>.

⁷³ Alaska Fisheries Development Foundation, 2012; and Kirk Moore, "Money for Fishing: How Fishermen Can Sell Directly," *National Fisherman*, November 8, 2023, <https://www.nationalfisherman.com/west-coast-pacific/money-for-fishing-how-fishermen-can-sell-directly> (hereinafter Moore, *National Fisherman*, 2023).

⁷⁴ Moore, *National Fisherman*, 2023.

⁷⁵ Senator Dan Sullivan, "Sullivan Applauds Senate Passage of American Fisheries Advisory Committee Act," press release, July 28, 2018.

⁷⁶ Edward Carver, "Sweeping Cuts and Deregulation Imperil U.S. Fisheries, Experts Warn," *Mongabay*, April 21, 2025, <https://news.mongabay.com/2025/04/sweeping-cuts-and-deregulation-imperil-u-s-fisheries-experts-warn/>.

⁷⁷ Leslie Taylor, "Opinion: Don't Be Fooled by NOAA Grants Increase," October 24, 2014.

⁷⁸ Senator Kerry, "Introduction of S. 2184," *Congressional Record*, daily edition, March 12, 2012, p. S1579; Senator Ed Markey, "Senator Markey Amendment to Critical Fisheries Research Grant Program Passes Senate as Part of Sullivan Legislation," press release, August 29, 2018; and Senator Lisa Murkowski, "Working Waterfronts Framework: A Plan to Grow and Support Alaska's Coastal and River Communities," <https://www.murkowski.senate.gov/download/working-waterfronts-framework>.

Additional issues of interest may include potential impacts of tariffs imposed by the Trump Administration on future P&D funding amounts,⁷⁹ as well as potential implications of Executive Order (E.O.) 14276, “Restoring America’s Seafood Competitiveness,” and NOAA staffing priorities for ongoing activities with respect to the promotion and development of U.S. fisheries.⁸⁰ The impacts of tariffs and E.O. 14276 on S-K funding and the S-K Grant Program are unclear at present, as are NOAA’s ongoing priorities for these efforts under the second Trump administration.

Congressional Actions

The below sections summarize selected legislation and legislative proposals in the current and past Congresses, with respect to addressing funding allocations for the S-K Grant Program, transfers to the NOAA ORF account, and funding priorities for fisheries research and development projects.

Funding Allocation

Some Members of Congress have introduced legislation seeking to address the allocation of P&D funding for projects supported through the S-K Grant Program. In the 119th Congress, the Working Waterfronts Act of 2025 (S. 1968, Section 204) would amend the S-K Act to stipulate that 25% of all marine product duty receipts transferred from USDA to NOAA’s P&D account is to be used for promoting U.S. fisheries. The bill would direct the Secretary of Commerce to make available not less than 75% of P&D funding (i.e., 18.75% of all marine product duty receipts transferred) for direct industry assistance grants under the S-K Grant Program. Additionally, the bill would direct the Secretary to make available no less than 20% of P&D funding (i.e., 5% of all marine product duty receipts transferred) to carry out the Young Fishermen’s Development Act (33 U.S.C. §§1141-1144).⁸¹ The balance of money in the fund would be allocated to the NMFS National Program. This language in Section 204 of S. 1968 also was included in S. 3785 in the 118th Congress. If the language were enacted, it remains uncertain whether Congress would follow the authorizing language with respect to apportioning funding into the NOAA ORF account and these other programs during the annual appropriations process.

Some previously introduced bills proposed changing the allocation of P&D funding to support different priorities. For example, several proposals in the 112th-114th Congresses would have allocated funding to fisheries management regions and would have established a regional fisheries grant program.⁸² Under these bills, each regional fishery management council would have established a fishery investment committee, which would have focused resources on strengthening regional fisheries management.⁸³ Each fishery investment committee would have

⁷⁹ For more information, see CRS Report R48549, *Presidential 2025 Tariff Actions: Timeline and Status*, by Keigh E. Hammond and William F. Burkhardt.

⁸⁰ E.O. 14276 and CRS In Focus IF13017, *President Trump’s April 2025 Executive Order on American Seafood Competitiveness: Considerations for U.S. Fisheries*, by Anthony R. Marshak.

⁸¹ NOAA National Sea Grant Program, “Young Fishermen’s Development Program,” <https://seagrant.noaa.gov/how-we-work/topics/youngfishermen/>.

⁸² The Fisheries Investment and Regulatory Relief Act of 2012 (H.R. 4208 and S. 2184) was introduced during the 112th Congress; the Fisheries Disaster Relief and Research Investment Act (H.R. 799) was introduced during the 113th Congress; and the Fisheries Investment and Regulatory Relief Act of 2015 (H.R. 2106) was introduced in the 114th Congress. No further action was taken following introduction of any of these bills.

⁸³ Regional fishery management councils were established under the MSA to develop fishery management plans that conserve and manage fisheries in federal waters. For more information, see CRS Report R47645, *U.S. Regional Fishery Management Councils*, by Anthony R. Marshak.

- developed a regional fishery investment plan,
- reviewed grant applications and projects to implement regional fishery investment plans, and
- made recommendations on grant applications.

The regional fishery investment plans would have identified research, conservation, and management needs, as well as corresponding actions to rebuild and maintain fish populations and associated fisheries. Each regional investment plan would have been required to include specific topics (e.g., supporting stock surveys, stock assessments, and cooperative fishery research).⁸⁴ Further, the Secretary of Commerce would have been required to establish a regional fisheries grant program to provide funds to advance the regional priorities identified in the regional fishery investment plans. The Secretary would have awarded grants only to projects that would implement regional fishery investment plans and to projects recommended by respective regional fishery investment committees and approved by each regional fishery management council.

Under these bills, the Secretary of Commerce would have been required to allocate 70% of funds from the P&D account to the eight council regions. Half of this funding would have been allocated equally among the councils, and half would have been distributed according to the combined economic impact of recreational and commercial fisheries in each region. The Secretary also would have been required to allocate 20% of funds for a national fisheries investment program that would support rebuilding and maintaining fish populations and promote sustainable fisheries. Each of the bills would have limited the transfer of ORF funding from the P&D account to 10% of receipts. The legislation also included a provision to provide funding to review regulations and procedures used to implement management under the MSA and make recommendations to streamline regulations and incorporate new information into the management process.

Congress has not seen similar legislation proposing a regional fisheries grant program since the 114th Congress. S-K-related legislation introduced in the 114th-117th Congresses primarily focused on passage of the American Fisheries Advisory Committee Act and establishment of the AFAC.⁸⁵

Stopping the Transfer to the Operations, Research, and Facilities Account

In recent Congresses (i.e., since the 113th Congress), no proposals have been introduced seeking to prevent the transfer of P&D funds to NOAA's ORF account. In the 113th Congress, a section of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2014 (S. 2991) would have attempted to stop the transfer of P&D funds to the ORF account. According to Section 205 of S. 2991, it would not be in order in the Senate or in the House of Representatives to consider any bill, resolution, amendment, or conference report that would reduce any amount in the fund (P&D account);⁸⁶ this proposed change in the Senate and House rules would have allowed any Senator or Representative to stop the transfer of P&D funds to the ORF discretionary account by making a point of order that a rule was being violated. No further action was taken following the introduction of S. 2991.

⁸⁴ Research priority plans are developed by regional fishery management councils according to 16 U.S.C. §1852(h)(7).

⁸⁵ Prior to the enactment of the American Fisheries Advisory Committee Act (P.L. 117-121), similar bills were introduced in the 114th (H.R. 5775/S. 3087), 115th (H.R. 214/S. 1322), 116th (H.R. 1218/S. 494), and 117th (H.R. 3128/S. 497) Congresses.

⁸⁶ A point of order is a claim from the floor made by a Senator or Representative that a rule of the House of Representatives or the Senate is being violated. If the chair sustains the point of order, the action in violation of the rule is not permitted.

Past Proposals to Amend S-K Funding Priorities

In past Congresses, several bills have been introduced seeking to amend S-K funding priorities, including for the S-K Grant Program. In the 117th Congress, a section of H.R. 3764 would have amended language with respect to fisheries research and development projects supported through the S-K Grant Program. Among its contents, the bill would have amended current language to focus research and development projects to areas including “harvesting, processing, packaging, marketing, and associated infrastructures.” Additionally, the bill would have expanded the S-K Grant Program to include the marketing and promoted consumption of

- local or domestic marine fishery products,
- “environmentally and climate-friendly” marine fishery products that minimize and avoid *bycatch* and impacts to marine mammals,⁸⁷
- invasive species, or
- “well-managed” but less known species.

Further, another section of the bill would have directed the Secretary of Commerce, acting through the NOAA Administrator, to prioritize the S-K Grant Program when carrying out programs relating to *aquaculture* research and development.⁸⁸

In the 115th Congress, H.R. 6966/S. 3138 would have included similar considerations for the Secretary to use existing programs, such as the S-K Grant Program, when carrying out an aquaculture research and development program. Additionally, among its contents, H.R. 1335 in the 114th Congress would have included a real-time reporting and data collection program for the Gulf red snapper fishery as a priority for S-K funding and would have allowed the Secretary to use S-K funding to carry out a *cooperative research* program in the Gulf and South Atlantic regions, with priority to data-poor fisheries in those regions.⁸⁹

⁸⁷ The MSA, under 16 U.S.C. §1802(2), defines *bycatch* as “fish which are harvested in a fishery, but which are not sold or kept for personal use, and includes economic discards and regulatory discards. Such term does not include fish released alive under a recreational catch and release fishery management program.” Some experts also use the term in the context of non-targeted protected species (e.g., marine mammals, threatened and endangered species) that may be captured during fishing practices.

⁸⁸ The National Aquaculture Act, under 16 U.S.C. §2802(1), defines *aquaculture* as “the propagation and rearing of aquatic species in controlled or selected environments, including, but not limited to, ocean ranching (except private ocean ranching of Pacific salmon for profit in those States where such ranching is prohibited by law).”

⁸⁹ 16 U.S.C. §1867; and NOAA, NMFS, “National Cooperative Research Program,” <https://www.fisheries.noaa.gov/sustainable-fisheries/national-cooperative-research-program>.

Appendix. History of Financing Under the Saltonstall-Kennedy Act

Table A-1. Financing History of the Saltonstall-Kennedy Program

(in thousands of dollars)

Fiscal Year	Transfer to P&D ^a (nominal \$)	Transfer to P&D (real \$ ^b)	NMFS ORF Offset	Fisheries Promotion Fund	Directed by Congress ^c	Remainder ^d
1979	17,436	84,186	5,000	0	0	12,436
1980	26,700	115,029	5,000	0	0	21,700
1981	35,000	133,717	17,500	0	0	17,500
1982	26,200	90,880	10,000	0	0	16,200
1983	30,600	100,954	22,600	0	0	8,000
1984	33,600	107,778	23,600	0	0	10,000
1985	34,900	107,377	25,900	0	0	9,000
1986	43,700	130,246	34,100	0	0	9,600
1987	57,400	168,597	51,600	750	0	5,050
1988	56,300	158,195	44,400	2,600	0	9,300
1989	53,600	144,469	45,600	3,000	0	5,000
1990	61,900	159,667	55,000	2,000	0	4,900
1991	70,800	171,817	60,900	2,000	0	7,900
1992	64,100	151,142	63,100	0	0	1,000
1993	61,400	140,283	55,000	0	0	6,400
1994	61,944	133,738	54,800	0	0	7,144
1995	64,765	140,350	55,500	0	0	9,265
1996	72,893	153,647	63,000	0	0	9,893
1997	66,381	135,855	66,000	0	0	381
1998	65,730	131,776	62,380	0	0	3,350
1999	66,430	131,230	63,380	0	0	3,050
2000	69,920	134,675	68,000	0	0	1,920
2001	72,828	135,601	68,000	0	0	4,828
2002	79,127	144,261	68,000	0	0	11,127
2003	75,220	134,415	65,000	0	10,000	220
2004	79,724	139,614	62,000	0	17,250	474
2005	77,539	131,591	65,000	0	12,000	539
2006	79,284	128,946	67,000	0	12,000	284
2007	82,816	132,955	79,000	0	0	3,816
2008	84,594	131,171	77,000	0	0	7,594

Fiscal Year	Transfer to P&D ^a (nominal \$)	Transfer to P&D (real \$ ^b)	NMFS ORF Offset	Fisheries Promotion Fund	Directed by Congress ^c	Remainder ^d
2009	108,510	162,324	79,000	0	0	29,510
2010	113,371	169,905	104,600	0	0	8,771
2011	90,239	133,671	90,239	0	0	0
2012	109,098	156,104	109,098	0	0	0
2013	130,236	182,405	119,064	0	0	11,172
2014	127,187	176,434	115,000	0	0	12,187
2015	142,615	194,597	116,000	0	0	26,615
2016	146,389	199,407	130,164	0	0	16,225
2017	145,073	194,433	130,164	0	0	14,909
2018	154,664	203,141	144,000	0	0	10,664
2019	158,406	202,937	157,980	0	0	426
2020	182,783	230,108	174,774	0	0	8,009
2021	258,171	321,218	246,171	0	0	12,000
2022	254,160	297,704	243,532	0	0	10,628
2023	356,401	387,452	344,901	0	0	11,500
2024	376,522	396,476	369,522	0	0	7,000
2025	345,294	345,294	N/A	0	0	N/A

Sources: National Oceanic and Atmospheric Administration (NOAA), Budget Office, 2020, January 20, 2020; NOAA, Budget Office, FY2007–FY2019, December 2, 2019; NOAA, National Marine Fisheries Service (NMFS), *The Saltonstall-Kennedy Grant Program: Fisheries Research and Development, Report 2008*, August 1, 2008, p. 4; NOAA, NMFS, *The Saltonstall-Kennedy Grant Program, Fisheries Research and Development, Report 2001*, August 1, 2001, p. 8; NOAA, NMFS, *The Saltonstall-Kennedy Grant Program: Fisheries Research and Development, Report 1991-1992*, 1992, p. 3; NOAA, NMFS, *The Saltonstall-Kennedy Grant Program: Fisheries Research and Development, Report 1987-1990*, 1990, p. 3; NOAA, NMFS, *The Saltonstall-Kennedy Grant Program, Fisheries Research and Development, Report 1982-1986*, 1986, p. 2; NOAA, “Budget and Reports,” <https://www.noaa.gov/organization/budget-finance-performance/budget-and-reports>; U.S. Department of Agriculture (USDA), “Congressional Justifications,” <https://www.usda.gov/about-usda/general-information/staff-offices/office-budget-and-program-analysis/congressional-justifications>; and U.S. Government Accountability Office, *Uses of Saltonstall/Kennedy Fisheries Development Funds*, RCED-85-145, August 30, 1985, pp. 1-64, <https://www.gao.gov/products/rced-85-145>.

Notes: N/A = Not available; ORF = NOAA Operations, Research, and Facilities account; P&D = NOAA Promote and Develop American Fisheries Products and Research Pertaining to American Fisheries Fund. Some values are rounded based on earlier reporting.

- Balance of funds transferred from USDA to NOAA and other reported financing in NOAA budget justifications. For FY2025, the value only reflects total funds transferred from USDA to NOAA, as included in USDA budget justifications. No additional information regarding FY2025 P&D funding, or associated ORF offset and remainder of funds, was included in the FY2026 NOAA budget justification.
- Real dollars (2025 USD) calculated using the Bureau of Labor Statistics Consumer Price Index, <https://www.bls.gov/cpi/>.
- Funding appropriated by Congress to seafood marketing boards and programs in FY2003, P.L. 108-7; FY2004, P.L. 108-199; FY2005, P.L. 108-447, and FY2006, P.L. 109-108.
- Remainder includes funds used for the Saltonstall-Kennedy Grant Program, the National Program, and administrative costs.

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Acknowledgments

Harold F. Upton, Analyst in Natural Resources Policy (retired), wrote the original version of this report.

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