



DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 635

[Docket No. 220919-0193; RTID 0648-XF784]

Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Angling Category Retention Limit Adjustment

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Temporary rule; retention limit adjustment.

SUMMARY: NMFS is adjusting the Angling category Atlantic bluefin tuna (BFT) daily retention limit from the default of one school, large school, or small medium BFT to: two BFT per vessel per day/trip measuring 27 inches (68.5 cm) to less than 73 inches (185 cm) curved fork length (CFL), only one of which can be large school/small medium-sized fish (47 inches (119 cm) to less than 73 inches (185 cm) CFL) for private vessels with Highly Migratory Species (HMS) Angling category permits; three BFT per vessel per day/trip measuring 27 inches to less than 73 inches CFL, only one of which can be large school/small medium for charter boat vessels with HMS Charter/Headboat permits when fishing recreationally for BFT; and six BFT per vessel per day/trip measuring 27 inches to less than 73 inches CFL, only one of which can be large school/small medium for headboat vessels with HMS Charter/Headboat permits when fishing recreationally for BFT. These retention limits are effective in all areas, except for the Gulf of America, where targeted fishing for BFT is prohibited.

DATES: Effective June 1, 2026, through December 31, 2026, or until NMFS via a notice in the **Federal Register** announces another adjustment to the retention limit.

FOR FURTHER INFORMATION CONTACT: Larry Redd, Jr.,

larry.redd@noaa.gov, or Becky Curtis, *becky.curtis@noaa.gov*, by email or by phone at 301-427-8503.

SUPPLEMENTARY INFORMATION: Atlantic BFT fisheries are managed under the 2006 Consolidated Highly Migratory Species Fishery Management Plan (HMS FMP) and its amendments, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act; 16 U.S.C. 1801 *et seq.*) and consistent with the Atlantic Tunas Convention Act (ATCA; 16 U.S.C. 971 *et seq.*). ATCA is the implementing statute for binding recommendations of the International Commission for the Conservation of Atlantic Tunas (ICCAT). The HMS FMP and its amendments are implemented by regulations at 50 CFR part 635. Section 635.27(a) divides the U.S. BFT quota, established by ICCAT and as implemented by the United States among the various domestic fishing categories, per the allocations established in the HMS FMP and its amendments. NMFS is required under the Magnuson-Stevens Act at 16 U.S.C. 1854(g)(1)(D) to provide U.S. fishing vessels with a reasonable opportunity to harvest quotas under relevant international fishery agreements such as the ICCAT Convention, which is implemented domestically pursuant to ATCA.

As described in § 635.27(a), the current baseline U.S. BFT quota is 1,316.14 metric tons (mt) (not including the 25-mt ICCAT allocated to the United States to account for bycatch of BFT in pelagic longline fisheries in the Northeast Distant Gear Restricted Area). The Angling category baseline quota is 297.4 mt. This baseline quota is further subdivided into subquotas by size class (see table 1) as follows: 134.1 mt for school BFT, 154.1 mt for large school/small medium BFT, and 9.2 mt for large medium/giant BFT. Large school and small medium BFT traditionally have been managed as one size class, *i.e.*, a limit of one large school/small medium BFT (measuring 47 to less than 73 inches (119 to less than 150 cm) CFL). Similarly, large medium and

giant BFT traditionally have been managed as one size class that is also known as the “trophy” class. Currently, the default Angling category daily retention limit of one school, large school, or small medium BFT is in effect and applies to HMS Angling and HMS Charter/Headboat permitted vessels (when fishing recreationally for BFT) (§ 635.23(b)(2)).

Table 1 -- BFT Size Classes

Size Class	Curved Fork Length
School	27 to less than 47 inches (68.5 to less than 119 cm)
Large school	47 to less than 59 inches (119 to less than 150 cm)
Small medium	59 to less than 73 inches (150 to less than 185 cm)
Large medium	73 to less than 81 inches (185 to less than 206 cm)
Giant	81 inches or greater (206 cm or greater)

Separate from this action, NMFS published a proposed rule that would implement the 2025 ICCAT recommendation (Recommendation 25-05) regarding western BFT management (91 FR 24789, May 7, 2026). Consistent with the recommendation, that proposed rule would increase the baseline U.S. BFT quota from 1,316.14 mt to 1,509.98 mt and adjust all the subquotas accordingly. In that proposed rule, the Angling baseline quota would increase from 297.4 mt to 341.3 mt. The comment period on that proposed rule ends on June 8, 2026. Any final rule implementing ICCAT Recommendation 25-05 would likely be effective in mid-2026 or later.

Adjustment of Angling Category Daily Retention Limit

Under § 635.23(b)(3), NMFS may increase or decrease the Angling category daily retention limit for any size class of BFT after considering the regulatory determination criteria under § 635.27(a)(7). Also under § 635.23(b)(3), recreational

retention limits may be adjusted separately for specific vessel type, such as private vessels, charter boats, or headboats.

NMFS has considered all of the relevant determination criteria and their applicability to the change in the Angling category retention limit. After considering these criteria, NMFS has decided to adjust the Angling category retention limit as follows:

(1) For private vessels with HMS Angling permits, this action increases the limit to two BFT per vessel per day/trip measuring 27 inches (68.5 cm) to less than 73 inches (185 cm) CFL, only one of which can be a large school/small medium-sized BFT (47 inches (119 cm) to less than 73 inches (185 cm) CFL). In other words, a private vessel could land two school-sized BFT or could land one school-sized fish and one large school/small medium-sized fish.

(2) For charter boat vessels with HMS Charter/Headboat permits when fishing recreationally for BFT, this action increases the limit to three BFT per vessel per day/trip measuring 27 inches (68.5 cm) to less than 73 (185 cm) CFL, only one of which can be a large school/small medium-sized BFT (47 inches (119 cm) to less than 73 inches (185 cm) CFL). In other words, a charter boat vessel could land three school-sized BFT or could land two school-sized BFT and one large school/small medium-sized BFT.

(3) For headboat vessels with HMS Charter/Headboat permits when fishing recreationally for BFT, this action increases the limit to six BFT per vessel per day/trip measuring 27 inches (68.5 cm) to less than 73 (185 cm) CFL, only one of which can be a large school/small medium-sized BFT (47 inches (119 cm) to less than 73 inches (185 cm) CFL). In other words, a headboat vessel could land six school-sized BFT or could land five school-sized BFT and one large school/small medium-sized BFT.

Regardless of the duration of a fishing trip, no more than a single day's retention limit may be possessed or retained at the end of the trip upon landing. For example,

whether a private vessel (fishing under the Angling category retention limit) takes a two-day trip or makes two trips in one day, the day/trip retention limit of two school-sized BFT or one school-sized fish and one large school/small medium-sized fish would apply and could not be exceeded upon landed.

If needed, NMFS could take another action later in the year to modify these retention limits or close the fishery.

Consideration of the Determination Criteria

As described above, under § 635.23(b)(3), NMFS may increase or decrease the retention limit for any size class of BFT or change a vessel trip limit to an angler trip limit and vice versa after considering the regulatory determination criteria under § 635.27(a)(7). These considerations include, but are not limited to, the following:

Regarding the usefulness of information obtained from catches in the particular category for biological sampling and monitoring of the status of the stock (§ 635.27(a)(7)(i)), biological samples collected from BFT landed by recreational fishermen continue to provide NMFS with valuable parts and data for ongoing scientific studies of BFT age and growth, migration, and reproductive status. Additional opportunity to land BFT in the Angling category would support the continued collection of a broad range of data for these studies and for stock monitoring purposes.

NMFS also considered the catches of the Angling category quota to date and the likelihood of closure of that segment of the fishery if no adjustment is made (§ 635.27(a)(7)(ii)). In addition to Angling category landings to date in 2026, NMFS considered Angling category landings in 2025, which totaled 189.5 mt, exceeding the adjusted 187.3 mt Angling category quota by 1 percent. NMFS notes that in 2025, the baseline Angling category quota was adjusted from 297.4 mt to 187.3 to account for quota overages in 2024 (90 FR 60017, December 23, 2025). Furthermore, in 2025, NMFS closed the Angling category fishery for school and large school/small medium-

sized BFT for the remainder of the 2025 fishing year on August 12, 2025 (90 FR 38709). For the Angling category, in 2025, school and large school/small medium BFT landings totaled 100.7 mt and 73.5 mt, respectively. The daily retention limits for private, charter boat, and headboat vessels in 2025 were lower than the daily retention limits established in this action as a result of the Angling category quota reduction (i.e., NMFS did not set higher retention limits due to less available quota). However, for the 2026 fishing year, NMFS does not anticipate having to reduce the Angling category quota from the baseline amount of 297.4 mt. Additionally, if the proposed rule implementing ICCAT Recommendation 25-05 is finalized (91 FR 24789, May 7, 2026), the baseline quota would be increased, potentially providing additional fishing opportunities.

Given fishery performance in recent years and the high availability of BFT on fishing grounds, the Angling category may need to be closed even if that proposed rule increasing the quota is finalized. NMFS expects that if a closure is needed, the closure would happen later in the fall. Despite this possibility, after considering the other criteria, NMFS is adjusting the retention limits to provide opportunities for anglers to take advantage of the BFT that are currently available on the fishing grounds. NMFS believes that this adjustment should provide a reasonable opportunity to harvest the available quota while maintaining equitable fishing opportunities across the fishery. If needed, NMFS could take another action later in the year to modify the retention limits or close the fishery.

NMFS also considered the effects of the adjustment on the BFT stock and the effects of the adjustment on accomplishing the objectives of the HMS FMP (§ 635.27(a)(7)(v) and (vi)). Adjusting the retention limits would be consistent with established quotas and subquotas, which are implemented consistent with ICCAT Recommendations, ATCA, and the objectives of the HMS FMP and its amendments. In establishing these quotas and subquotas and associated management measures, ICCAT

and NMFS considered the best scientific information available, objectives for stock management and status, and effects on the stock. Making these retention limit adjustments is in line with the established management measures and stock status determinations. It is also important that NMFS limit landings to the quotas and subquotas both to adhere to the domestic allocations and to ensure that landings are as consistent as possible with the pattern of fishing mortality (*e.g.*, fish caught at each age) that was assumed in the latest stock assessment. These retention limit adjustments are consistent with those objectives.

Another principal consideration in setting the retention limit is the objective of providing opportunities to harvest the available Angling category quota without exceeding the annual quota. This consideration is based on the objectives of the HMS FMP and its amendments, and it includes achieving optimum yield on a continuing basis and optimizing the ability of all permit categories to harvest available BFT quota allocations (see § 635.27(a)(7)(x)).

Furthermore, NMFS examined the results of the 2025 fishing year under the applicable daily retention limits, as well as the observed trend in the recreational fishery harvesting heavier fish, particularly in the large school and small medium size classes. In reviewing size class trends across recent years, NMFS expects the available year-class to be primarily heavier fish (see § 635.27(a)(7)(vii)). NMFS believes the retention limits established through this action, which provides for the opportunity to land no more than one large school/small medium fish per vessel per day/trip for all vessel types, provide opportunities to harvest the available large school/small medium BFT subquota without exceeding it. If needed, NMFS could take an additional action later in the year to modify the retention limits or close the fishery.

Lastly, NMFS has concluded that implementation of separate limits for private and charter/headboat vessels is appropriate, recognizing the different nature, social and

economic needs, and recent landings results of these components of the recreational BFT fishery. For example, charter operators historically have indicated that a retention limit greater than the default limit of one fish is vital to their ability to attract customers. In addition, the Large Pelagics Survey estimates indicate that charter/headboat BFT landings averaged 76 percent of recent Angling category landings for 2025, with the remaining 24 percent landed by private vessels. NMFS has further concluded that a higher limit for headboats (than charter boats) is appropriate, given the limited number of headboats participating in the BFT fishery.

Given these considerations, NMFS has determined that the Angling category daily retention limits applicable to HMS Angling and HMS Charter/Headboat permitted vessels should be adjusted from the default levels. The retention limits established through this action are intended to provide a reasonable opportunity to harvest the available Angling category quota and subquotas, without exceeding them, while maintaining equitable fishing opportunities. NMFS acknowledges that the BFT daily retention limits in this action may result in landings during 2026 that could reach or exceed the annual Angling category quota and subquotas. However, lower retention limits could result in substantial social and economic impacts for the recreational BFT fishery. Furthermore, if effort is lower than previous years or if catch rates are not as high as anticipated, maintaining the default retention limit could result in an underharvest of the Angling category quota and subquotas. As described earlier, if needed and appropriate, NMFS could take additional action(s) later in the year to increase or decrease the retention limits or close the fishery.

Monitoring and Reporting

NMFS will continue to monitor the BFT fishery closely. HMS Angling and HMS Charter/Headboat permitted vessel owners are required to report the catch of all BFT retained or discarded dead, within 24 hours of the landing(s) or the end of each trip, by

accessing <https://hmspermits.noaa.gov> or by using the HMS Catch Reporting app, or calling (888) 872-8862 (Monday through Friday from 8 a.m. until 4:30 p.m. Eastern Time).

Depending on the level of fishing effort and catch rates of BFT, NMFS may determine that additional retention limit adjustments or closures are necessary to ensure available quota is not exceeded or to enhance scientific data collection from, and fishing opportunities in, all geographic areas. If needed, subsequent adjustments will be published in the **Federal Register**. In addition, fishermen may access <https://hmspermits.noaa.gov>, for updates on quota monitoring and inseason adjustments.

HMS Angling and HMS Charter/Headboat permit holders may catch and release (or tag and release) BFT of all sizes, subject to the requirements of the catch-and-release and tag-and-release programs at § 635.26. All BFT that are released must be handled in a manner that will maximize their survival, and without removing the fish from the water, consistent with requirements at § 635.21(a)(1). For additional information on safe handling, see the “Careful Catch and Release” brochure available at <https://www.fisheries.noaa.gov/resource/outreach-and-education/careful-catch-and-release-brochure>.

Classification

NMFS issues this action pursuant to section 305(d) of the Magnuson-Stevens Act (16 U.S.C. 1855(d)) and regulations at 50 CFR part 635 and this action is exempt from review under Executive Order 12866.

The Assistant Administrator for NMFS (AA) finds that pursuant to 5 U.S.C. 533(b)(B), there is good cause to waive prior notice of, and an opportunity for public comment on, this action because it is impracticable and contrary to the public interest. Specifically, the regulations implementing the HMS FMP and its amendments provide for inseason retention limit adjustments to respond to the unpredictable nature of BFT

availability on the fishing grounds, the migratory nature of this species, and the regional variations in the BFT fishery. Based on available quotas, fishery performance in recent years, and the availability of BFT on the fishing grounds, responsive adjustment of the daily retention limit is warranted to provide additional flexibility to maximize fishing opportunities to land the available BFT quota. It is impracticable for NMFS to have proposed this action earlier, as it needed to consider and respond to complete 2025 recreational landings data and the most recent 2026 recreational landings data about daily landing trends and the availability of BFT on the fishing grounds. If NMFS was to offer a public comment period now, after having appropriately considered that information, it would preclude the fishery from harvesting BFT that are legally available consistent with all of the regulatory criteria, and/or could result in selection of a retention limit inappropriately high or low for the amount of quota available for the period. Fisheries under the default Angling category daily retention limit are currently underway and thus prior notice would be contrary to the public interest. Delays in this action would adversely affect those HMS Angling and Charter/Headboat permitted vessels that would otherwise have an opportunity to harvest more than the default retention limit of one school, large school, or small medium BFT per day/trip, contrary to the public interest. Analysis of available data shows that adjustment to the BFT daily retention limit from the default level would result in minimal risk of exceeding the ICCAT-allocated quota given NMFS ability to further adjust the retention limit or close the fishery as needed. NMFS provides notification of retention limit adjustments by publishing the notice in the **Federal Register**, e-mailing individuals who have subscribed to the Atlantic HMS News electronic newsletter, and updating the information posted on the Atlantic Tunas Information Line and on <https://hmspermits.noaa.gov>. Taking this action does not raise conservation and management concerns and would support effective management of the BFT fishery. NMFS notes that the public had an opportunity to comment on the

underlying rulemakings that established the U.S. BFT quota and the inseason adjustment criteria.

For all of the above reasons, the AA also finds that pursuant to 5 U.S.C. 553(d)(3), there is good cause found to waive the 30-day delay in effectiveness.

Authority: 16 U.S.C. 971 *et seq.* and 1801 *et seq.*

Dated: May 27, 2026.

David R. Blankinship,

Acting Director, Office of Sustainable Fisheries,

National Marine Fisheries Service.

[FR Doc. 2026-10816 Filed: 5/27/2026 4:15 pm; Publication Date: 5/29/2026]