



FACT SHEET: MAGNUSON-STEVENS ACT

6

The Magnuson-Stevens Fishery Conservation and Management Act (MSA) is the principal law governing marine fisheries in the United States. Before the MSA, U.S. fisheries were managed by an array of state regulations that focused mainly on fishing gear restrictions.

The MSA was adopted in 1976 under the Carter administration. It is named after the late Senators Warren Magnuson of Washington and Ted Stevens of Alaska. Its primary goals were to extend control of U.S. waters to 200 nautical miles in the ocean; to phase out foreign fishing activities within this zone; to prevent overfishing, especially by foreign fleets; to allow overfished stocks to recover; and to conserve and manage fishery resources.

The MSA explains the role of Regional Fishery Management Councils, which are charged with developing and implementing fishery management plans to restore depleted stocks. Council members are appointed by the Secretary of Commerce, who also evaluates and approves the councils' fishery management plans (FMPs).

The MSA has since been amended several times, most recently in 2006. The 2006 reauthorization, under the second President Bush, was a bipartisan effort that focused on ending overfishing and requiring enforceable catch limits on all federally-managed fish. This revision (called "Fishery Conservation and Management Amendments of 2006") made a number of changes related to establishment of annual catch limits, function of the Scientific and Statistical Committee, the environmental review process, rebuilding provisions, limited access privilege (catch share) programs, and other areas. The reauthorization strengthened the role of science in fishery management nationwide, requiring fishery managers to establish science-based annual catch limits (ACLs) and accountability measures for all U.S. fisheries. The MSA was reauthorized through 2010 and is now due for reauthorization again.



Courtesy of Ted Stevens Foundation, 1973

The MSA includes 10 national standards for management, which declare that conservation and management measures shall:

1. Prevent overfishing while achieving optimum yield.
2. Be based upon the best scientific information available.
3. Manage individual stocks as a unit throughout their range, to the extent practicable; interrelated stocks shall be managed as a unit or in close coordination.
4. Not discriminate between residents of different states; any allocation of privileges must be fair and equitable.
5. Where practicable, promote efficiency, except that no such measure shall have economic allocation as its sole purpose.
6. Take into account and allow for variations among and contingencies in fisheries, fishery resources, and catches.
7. Minimize costs and avoid duplications, where practicable.
8. Take into account the importance of fishery resources to fishing communities to provide for the sustained participation of, and minimize adverse impacts to, such communities (consistent with conservation requirements).

FACT SHEET: MSA

9. Minimize bycatch or mortality from bycatch.

10. Promote safety of human life at sea.

The MSA is complemented by other Federal and state laws, including the Marine Mammal Protection Act, Endangered Species Act, Coastal Zone Management Act, and National Marine Sanctuaries Act. International agreements and organizations, such as the International Convention for the Conservation of Atlantic Tunas, Inter- American Tropical Tuna Commission, and the United Nation's Code of Conduct for Responsible Fisheries, also play a role in shaping management of U.S. fisheries.

In 2016 and 2017, both the U.S. House of Representatives and the Senate drafted bills to reauthorize the MSA. As of August 2017, there are several bills in Congress to reauthorize or make changes to the Act.

The Council's Legislative Committee tracks reauthorization bills, and the Council discusses them during the Legislative Report agenda item at Council meetings. For more information, contact Jennifer Gilden (Jennifer.gilden@noaa.gov), who tracks legislative issues for the Council.

Updated August 29, 2017