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The Magnuson-Stevens Fishery Conservation and Management Act (MSA): Issues for the 119th Congress

The Magnuson-Stevens Fishery Conservation and Management Act, as amended (MSA; 16 U.S.C. §1801 *et seq.*), is the primary law authorizing the conservation and management of U.S. federal marine fisheries (i.e., those occurring in waters up to 200 nautical miles beyond state or territorial waters). First enacted in April 1976 (P.L. 94-265), MSA governs both commercial and recreational fisheries, in addition to nontarget fishery species (e.g., *ecosystem component* species). Among its provisions, MSA established eight Regional Fishery Management Councils (FMCs), which develop fishery management plans and/or fishery ecosystem plans. These plans are jointly implemented with the National Oceanic and Atmospheric Administration's (NOAA's) National Marine Fisheries Service (NMFS) following their approval by the Secretary of Commerce (Secretary).

Since its enactment, Congress has extensively amended MSA's provisions twice; first in 1996 (P.L. 104-297) and again in 2006 (P.L. 109-479). Although the act's authorization of appropriations expired at the end of FY2013, MSA requirements remain in effect and Congress has continued to appropriate funds for NMFS and partners to administer the act. Proposals to extensively amend MSA in the past several Congresses include bills such as the Sustaining America's Fisheries for the Future Act of 2025 (H.R. 3718 in the 119th Congress; similar legislation in the 117th [H.R. 4690] and 118th [H.R. 8862] Congresses) and the Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act (H.R. 59 in the 117th Congress and H.R. 200 in the 115th Congress).

Fisheries Policy Challenges and Considerations

During the first decade after MSA's passage, fisheries policy focused primarily on controlling and replacing foreign (i.e., non-U.S.) fishing off the United States and on developing U.S. fisheries in the newly declared 200-nautical-mile Fishery Conservation Zone. Subsequently, U.S. fisheries management priorities have shifted to include sustaining fishery populations and responding to *overfishing*. One ongoing policy challenge for decisionmakers is the balance between conservation and utilization of fish populations. Despite MSA provisions seeking to prevent fishery stocks from becoming *overfished* and requiring the rebuilding of overfished stocks, questions remain regarding the timing and implementation of management actions. Further, some stakeholders continue to raise concerns about stocks that remain overfished, the quality of data used to assess the status of certain stocks (e.g., some call for increased inclusion of state-based survey data in NMFS stock assessments), and other topics. In accounting for different management objectives, relevant

factors include allocating fishery resources among users; developing and supporting management bodies; and investing in fisheries management and research.

Additional considerations in the 119th Congress may include accounting for impacts of environmental drivers on fisheries and fishing communities; addressing *bycatch* (i.e., nontarget catch) and its effects on managed species; and accounting for marine ecosystems and their components (e.g., *forage fish*) in management actions. Fisheries legislation introduced in recent Congresses has focused on these and other types of issues. Congress also may continue to show interest in and provide oversight of federal and interstate fisheries management activities. For example, in April 2025, President Trump issued Executive Order (E.O.) 14276, "Restoring American Seafood Competitiveness," which required multiple federal actions with respect to U.S. fisheries science and management and the seafood trade. In June 2025, the House Subcommittee on Water, Wildlife and Fisheries held a hearing during which Members discussed the E.O., MSA, and other related issues.

Legislation in the 119th Congress

Among its actions, the 119th Congress passed the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2026 (P.L. 119-74, Division A) in January 2026. The explanatory statement and reports accompanying the law included directives to NMFS with respect to particular federal fisheries (e.g., South Atlantic reef fishes), fishery surveys, and other MSA-related activities. In the 119th Congress, Members have introduced legislation focused on elements pertaining to fisheries and their management under MSA. Issues include refinements to fishery disaster assistance, fisheries science as carried out primarily by NMFS, and the fisheries management process, such as increased focus on marine ecosystem considerations. A proposed resolution (H.Con.Res. 85) also would recognize the 50th anniversary of MSA and the act's impact on U.S. fisheries management. Bills seeking to amend MSA are summarized below (most have had few actions since introduction). Some bills were introduced in the 118th Congress with similar language. Some other 118th Congress proposals that sought to amend MSA may be of interest in the 119th Congress.

Bills Seeking to Amend Fishery Disaster Assistance

Members of Congress have remained interested in refining federal fishery disaster assistance since enactment of the Fishery Resource Disasters Improvement Act (P.L. 117-328, Division S, Title II), and more recently the Fishery Improvement to Streamline untimely regulatory Hurdles post Emergency Situation Act (FISHES Act; P.L. 118-229), which both amended provisions in Section 312(a) of MSA governing fishery disaster assistance. Related bills

introduced in the 119th Congress include H.R. 4800, the Fisheries Modernization Act of 2025, which would amend MSA to make certain freshwater crawfish fisheries eligible for fishery disaster assistance, and H.R. 6150, the Protect American Fisheries Act of 2025, which would amend MSA to include an *economic cause* as an eligible reason for assistance. In the 119th Congress, some Members also have sought other forms of financial assistance for fishing communities, such as proposed expansions of U.S. Department of Agriculture loans and grants to include fishers and seafood producers as eligible recipients (e.g., S. 4236, the American Seafood Competitiveness Act of 2026) and directing NOAA and the National Academy of Public Administration to investigate the feasibility of a fishery disaster insurance program for seafood harvesters (S.Rept. 119-44 accompanying P.L. 119-74).

Bills Seeking to Amend Fisheries Science Mandates

In the 119th Congress, some Members of Congress have proposed amending MSA provisions that intersect with fisheries science, including with respect to data used to inform recreational fisheries, and bycatch reduction and mitigation efforts. H.R. 5699, the Fisheries Data Modernization and Accuracy Act of 2025, would require NOAA to reform the NMFS Marine Recreational Information Program (MRIP) and require NMFS to establish a standing committee with the National Academies of Science, Engineering, and Medicine to discuss recreational fisheries data collection and management. Among its contents, the bill would allow a given state, with NOAA's approval, to collect recreational fishing catch and effort data in state and federal waters for federally managed species, and require NOAA to develop and implement a plan to use those data in place of those collected via MRIP. The bill also would direct NOAA to establish a competitive program for independent entities to conduct fishery-independent surveys on behalf of NMFS. Further, the bill would amend MSA to include a definition of the term *stock assessment*, require NMFS to publish a plan for its stock assessments, and stipulate additional requirements regarding FMC procedures and meetings. Part of S. 3923, the Weather Research and Forecasting Innovation Reauthorization Act of 2026, similarly would amend MSA to require NMFS to publish its planned stock assessments and surveys for an upcoming fiscal year.

H.R. 6939, the Bycatch Reduction and Research Act of 2026, and S. 3579, the Bycatch Reduction and Research Act of 2025, seek to address data and research gaps in Alaskan fisheries and to prioritize technologies in support of research, bycatch reduction, and marine habitat conservation. In part, the bills would reconstitute the Alaska Salmon Research Task Force to form a "Bycatch Reduction and Research Task Force," and serve as a review body for related NMFS research and reports. The task force would provide recommendations for future NMFS work related to bycatch in Alaskan fisheries. The bills additionally would direct NMFS to carry out ecosystem analyses on the effects of trawl gears on Alaskan marine habitats (including use of electronic monitoring and reporting, cooperative research, and other approaches to reduce bycatch and marine habitat disturbances in Alaskan fishing practices) and enter into public-private partnerships (e.g., with states or Tribes) to conduct research on Alaska-origin salmon. The bills also

would amend MSA to include a "Bycatch Mitigation and Habitat Protection Assistance Fund," administered by the National Fish and Wildlife Foundation, to provide funding to fishers and commercial vessel owners and operators to purchase or modify gear, equipment, and technologies to reduce or mitigate bycatch and trawling impacts to habitats.

Bills Seeking to Amend Fisheries Management

Members of Congress have introduced legislation in the 119th Congress that would amend MSA to address interactions among certain species and manage for their effects on particular fisheries. In part, H.R. 3714, the Forage Fish Conservation Act of 2025, would direct the Secretary, with advice from FMCs, to issue a definition of *forage fish* and amend MSA to include such definition, and would include specific directives regarding the management of forage fish. Among their contents, H.R. 207 as passed the House and S. 2314 as reported, the Supporting the Health of Aquatic systems through Research Knowledge and Enhanced Dialogue Act of 2025 (SHARKED Act of 2025), would amend MSA to include projects related to addressing *shark depredation* as a priority area for cooperative research funding. Relatedly, H.R. 3831 as passed the House, the Florida Safe Seas Act of 2025, would amend MSA to prohibit the feeding of sharks in federal waters off the state of Florida. Some Members have noted that the bill's intent also is to mitigate shark depredation off Florida. Some Members of Congress also have introduced legislation that would account for shifting fishery species distributions in management. In part, S. 3658, the Supporting Healthy Interstate Fisheries in Transition Act (SHIFT Act), would amend MSA with directives to NMFS and FMCs for managing fishery species with shifting distributions and novel fisheries resulting from these shifts.

Additional bills in the 119th Congress have focused on amending MSA to address specific aspects of U.S. fisheries and their management. H.R. 2375/S. 1152, the Rhode Island Fishermen's Fairness Act, would amend MSA to include representatives from Rhode Island on the Mid-Atlantic FMC. H.R. 8598, the North Pacific Fishery Management Council Representation Enhancement Act of 2026, would amend MSA to include voting members from specific fisheries sectors on the North Pacific FMC. Among its contents, H.R. 8542, the Offshore Parity Act of 2026, would amend MSA to include refined jurisdictions for Alabama, Louisiana, and Mississippi state fisheries. S. 3923 also would amend MSA to require the Secretary to inform Congress about the adequacy of data available for assessing particular fishery stocks, among other priorities. H.R. 8904 would amend MSA to authorize fisheries management in marine national monuments under MSA (i.e., not under the Antiquities Act of 1906). Further, H.R. 3718, in part, would amend MSA in terms of administering *limited access privilege programs* and regarding climate-related species distribution shifts. It also would refine FMC requirements and representation (e.g., adding tribal representatives to the North Pacific FMC); address science and technologies to inform management; and amend provisions for *essential fish habitat*, bycatch, and rebuilding of fishery populations, among other factors.

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