

**Magnuson-Stevens Fishery Conservation and Management Act:  
 Provisions related to data collection & monitoring**

*As amended by the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act  
 (P.L. 109-479), May 12, 2007*

The following excerpts reflect the primary provisions of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) related to data collection and monitoring. The provisions referenced below are not exhaustive and are intended to serve as a statutory reference to help guide discussion and facilitate an understanding of the legal framework under which federal fishery managers must operate when developing and administering data collection and monitoring programs pursuant to the MSA. For the sake of brevity, specific provisions related to enforcement (i.e., Improved Data Sharing), research priorities (i.e., Fisheries Systems Research) and regional initiatives (i.e., Gulf of Mexico Red Snapper Research and Deep Sea Coral Research and Technology, etc.) are not included.

**TITLE III—NATIONAL FISHERY MANAGEMENT PROGRAM**

- **Section 303. Contents of Fishery Management Plans** 74  
*Outlines required and discretionary provisions of fishery management plans.*
  
- **Section 303A. Limited Access Privilege Programs**
  - 303A(c)(1)(H) 80  
*Requires that limited access privilege programs establish a system for enforcement, monitoring, and management of the program.*
  
  - 303A(e) – Cost recovery 86  
*Mandates the establishment of a cost recovery program for limited access privilege programs.*
  
- **Section 304. Action by Secretary**
  - 304(d) – Establishment of Fees
    - 304(d)(1) 91  
*Authorizes the establishment of fees for permit administration and provides limitations on the level and application of fees.*
  
    - 304(d)(2) 91  
*Sanctions fees for cost recovery in limited access privilege and community development quota programs.*

- **Section 313. North Pacific Fisheries** 134  
*Authorizes North Pacific fishery managers to develop fishery research plans and levy fees for data collection and monitoring purposes.*

**TITLE IV—FISHERY MONITORING AND RESEARCH**

- **Section 401. Registration and Information Management**
  - 401(c) - Fishery Information 149  
*Outlines the basic fisheries performance information for each fishery that should be included in the proposed standardized information management system.*
  - 401(g) - Recreational Fisheries 150  
*Provides for the establishment of a regionally-based federal registry for recreational fishermen and the improvement of data collection systems for recreational fisheries.*
- **Section 402. Information Collection** 152  
*Authorizes Council to request that the Secretary initiate information collection programs for the purposes of developing, implementing or revising a fishery management plan or determining whether a fishery is in need of management. Includes confidentiality and contracting authority provisions.*
- **Section 404. Fisheries Research** 155  
*Requires that the Secretary initiate and maintain, in cooperation with the Councils, a comprehensive program of fishery research to acquire knowledge and information, including statistics, on fishery conservation and management and on the economics and social characteristics of the fisheries.*
- **Section 405. Incidental Harvest Research** 156  
*Requires that the Secretary, in consultation with the Gulf and South Atlantic Councils, to conclude the collection of information including identification of the stocks, assessment of specific stocks, and the development and implementation bycatch reduction devices for the shrimp trawl fishery.*

**APPENDIX**

- **Section 208. Fisheries Conservation and Management Fund** 162  
*Establishes a new Fisheries Conservation and Management Fund whose purposes are, inter alia, to improve fishery harvest data collection, including expanding the use of electronic catch reporting programs.*