



APPENDIX C – Legal Authorities

The Coast Guard, as the Nation's leading maritime law enforcement agency, has broad, multifaceted jurisdictional authority. The statutory basis for all law enforcement missions is contained in 14 USC 2; "The Coast Guard shall enforce or assist in the enforcement of all applicable federal laws on, under, and over the high seas and waters subject to the jurisdiction of the United States". 14 USC 89 provides active duty Coast Guard petty officers, warrant officers and commissioned officers authority to board, search, detain, arrest, and/or seize in appropriate circumstances.

U.S. fisheries management responsibilities and authority are described in the Magnuson-Stevens Fishery Conservation and Management Act (MFCMA) as amended through October 1996. This legislation tasks the Department of Commerce with management of our nation's living marine resources. The act tasks both the Department of Commerce and the Department in which the Coast Guard is operating with enforcement responsibility.

This appendix presents the statutory requirements and authorities under which the Coast Guard operates in support of fisheries and living marine resource policies.

Statutes for which the Coast Guard has direct enforcement responsibility/authority:

- Antarctic Conservation Act of 1978 (16 USC 2401 et seq.)
- Antarctic Living Marine Resources Conservation Act of 1984 (16 USC 2431 et seq.)
- Atlantic Coastal Fisheries Cooperative Management Act (16 USC 5101 et seq.)
- Atlantic Salmon Convention Act (16 USC 3601)
- Atlantic Tuna Conventions Act of 1975 (16 USC 971 et seq.)
- Central Bering Sea Enforcement Act of 1992 (16 USC 1823 et seq.)
- Eastern Pacific Tuna Licensing Act of 1984 (16 USC 972 et seq.)
- Endangered Species Act of 1973 (16 USC 1531 et seq.)
- Fur Seal Act of 1966 (16 USC 1151 et seq.)
- High Seas Driftnet Fishing Moratorium Protection Act (16 USC 1801)
- High Seas Fishing Compliance Act of 1995 (16 USC 5501 et seq.)
- Lacey Act Amendments of 1981 (16 USC 3371 et seq.)
- Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1801, et seq.):
 - 39 fishery management plans promulgated under the MFCMA; ten additional plans are currently under development.
- North Pacific Anadromous Stocks Convention Act of 1992 (16 USC 5001 et seq.)
- North Pacific Halibut Act of 1982 (16 USC 773 et seq.)
- Northwest Atlantic Fisheries Compliance Act of 1995 (16 USC 5601 et seq.)
- Pacific Salmon Treaty Act of 1985 (16 USC 3631 et seq.)
- Sponge Act (16 USC 781 et seq.)
- Tuna Conventions Act (16 USC 973 et seq.)
- Whaling Convention Act (16 USC 916 et seq.)



Statutes enforced under the Authority of 14 USC 2 and 14 USC 89:

- Marine Mammal Protection Act (16 USC 1361 et seq.)
- Marine Protection, Research, and Sanctuaries Act (16 USC 1431 et seq.)
- South Pacific Tunas Act (16 USC 973 et. seq.)
- Striped Bass Conservation Act (16 USC 1851 et seq.)