

HIGHLY MIGRATORY SPECIES ADVISORY SUBPANEL REPORT ON FEDERAL  
FISHERY PERMIT CITIZENSHIP REQUIREMENTS – SCOPING

The Highly Migratory Species Advisory Subpanel (HMSAS) received a report and background from Dr. Dahl. We discussed the current commercial fishery permit eligibility under Pacific Council fishery management plans and the request for a regulatory amendment to the HMS regulations to address permit eligibility for American Indians born in Canada who are not U.S. citizens. The HMSAS discussed the ramifications of the Jay Treaty of 1795 and whether the Council should consider eliminating the current citizenship-based eligibility requirement.

The HMSAS strongly feels that any Federal fishing permit should apply only to U.S. citizens. For consistency, we request the Council require U.S. citizenship for any Federal HMS permit, including the limited entry drift gillnet permit. The process of trying to single out certain groups or persons would only lead to legal problems in the future. We do not recommend further consideration of this issue by the Council.

PFMC  
06/11/18