

**(b) Membership****(1) In general**

The Panel shall be comprised of six members, as follows:

(A) One member who is an official of the United States Government with expertise in salmon conservation and management, who shall be appointed by the Secretary of State.

(B) One member who is an official of the State of Alaska with expertise in salmon conservation and management, who shall be appointed by the Governor of Alaska.

(C) Four members who are knowledgeable and experienced with regard to the salmon fisheries on the Yukon River, who shall be appointed by the Secretary of State in accordance with paragraph (2).

**(2) Appointees from Alaska**

(A) The Secretary of State shall appoint the members under paragraph (1)(C) from a list of at least three individuals nominated for each position by the Governor of Alaska.

(B) In making the nominations, the Governor of Alaska may consider suggestions for nominations provided by organizations with expertise in Yukon River salmon fisheries.

(C) The Governor of Alaska may make appropriate nominations to allow for appointment of, and the Secretary of State shall appoint, under paragraph (1)(C)—

(i) at least one member who is qualified to represent the interests of Lower Yukon River fishing districts; and

(ii) at least one member who is qualified to represent the interests of Upper Yukon River fishing districts.

(D) At least one of the members appointed under paragraph (1)(C) shall be an Alaska Native.

**(3) Alternates**

(A) The Secretary of State may designate an alternate Panel member for each Panel member the Secretary appoints under paragraphs (1)(A) and (C), who meets the same qualifications, to serve in the absence of the Panel member.

(B) The Governor of the State of Alaska may designate an alternative Panel member for the Panel member appointed under subsection (b)(1)(B) of this section, who meets the same qualifications, to serve in the absence of that Panel member.

**(c) Term length**

Panel members and alternate Panel members shall serve 4-year terms. Any individual appointed to fill a vacancy occurring before the expiration of any term shall be appointed for the remainder of that term.

**(d) Reappointment**

Panel members and alternate Panel members shall be eligible for reappointment.

**(e) Decisions**

Decisions of the Panel shall be made by the consensus of the Panel members appointed under subparagraphs (B) and (C) of subsection (b)(1) of this section.

**(f) Consultation**

In carrying out their functions, Panel members may consult with such other interested parties as they consider appropriate.

(Pub. L. 106-450, title II, §202, Nov. 7, 2000, 114 Stat. 1941.)

## REFERENCES IN TEXT

This subchapter or any other title, referred to in subsec. (a)(2)(C), was in the original “this or any other title”. The reference to “any other title” probably was intended to mean a reference to any other act.

## SHORT TITLE

For short title of this subchapter as the “Yukon River Salmon Act of 2000”, see section 201 of Pub. L. 106-450, set out as a note under section 5701 of this title.

**§ 5722. Advisory committee****(a) Appointments**

The Governor of Alaska may establish and appoint an advisory committee of not less than eight, but not more than 12, individuals who are knowledgeable and experienced with regard to the salmon fisheries on the Yukon River. At least two of the advisory committee members shall be Alaska Natives. Members of the advisory committee may attend all meetings of the Panel, and shall be given the opportunity to examine and be heard on any matter under consideration by the Panel.

**(b) Compensation**

The members of such advisory committee shall receive no compensation for their services.

**(c) Term length**

Members of such advisory committee shall serve 2-year terms. Any individual appointed to fill a vacancy occurring before the expiration of any term shall be appointed for the remainder of that term.

**(d) Reappointment**

Members of such advisory committee shall be eligible for reappointment.

(Pub. L. 106-450, title II, §203, Nov. 7, 2000, 114 Stat. 1943.)

**§ 5723. Exemption**

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Panel or to an advisory committee established under section 5722 of this title.

(Pub. L. 106-450, title II, §204, Nov. 7, 2000, 114 Stat. 1943.)

## REFERENCES IN TEXT

The Federal Advisory Committee Act, referred to in text, is Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, as amended, which is set out in the Appendix to Title 5, Government Organization and Employees.

**§ 5724. Authority and responsibility****(a) Responsible management entity**

The State of Alaska Department of Fish and Game shall be the responsible management entity for the United States for the purposes of any agreement with Canada regarding management of salmon stocks originating from the Yukon River in Canada.

**(b) Effect of designation**

The designation under subsection (a) of this section shall not be considered to expand, diminish, or otherwise change the management authority of the State of Alaska or the Federal Government with respect to fishery resources.

**(c) Recommendations of Panel**

In addition to recommendations made by the Panel to the responsible management entities in accordance with any agreement with Canada regarding management of salmon stocks originating from the Yukon River in Canada, the Panel may make recommendations concerning the conservation and management of salmon originating in the Yukon River to the Department of the Interior, the Department of Commerce, the Department of State, the North Pacific Fishery Management Council, and other Federal or State entities as appropriate. Recommendations by the Panel shall be advisory in nature.

(Pub. L. 106-450, title II, §205, Nov. 7, 2000, 114 Stat. 1943.)

**§ 5725. Administrative matters****(a) Compensation**

Panel members and alternate Panel members who are not State or Federal employees shall receive compensation at the daily rate of GS-15 of the General Schedule when engaged in the actual performance of duties.

**(b) Travel and other necessary expenses**

Travel and other necessary expenses shall be paid by the Secretary of the Interior for all Panel members, alternate Panel members, and members of any advisory committee established under section 5722 of this title when engaged in the actual performance of duties.

**(c) Treatment as Federal employees**

Except for officials of the United States Government, all Panel members, alternate Panel members, and members of any advisory committee established under section 5722 of this title shall not be considered to be Federal employees while engaged in the actual performance of duties, except for the purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 71<sup>1</sup> of title 28.

(Pub. L. 106-450, title II, §206, Nov. 7, 2000, 114 Stat. 1943.)

## REFERENCES IN TEXT

GS-15 of the General Schedule, referred to in subsection (a), is set out under section 5332 of Title 5, Government Organization and Employees.

**§ 5726. Yukon River salmon stock restoration and enhancement projects****(a) In general**

The Secretary of the Interior, in consultation with the Secretary of Commerce, may carry out projects to restore or enhance salmon stocks originating from the Yukon River in Canada and the United States.

**(b) Cooperation with Canada**

If there is in effect an agreement between the Government of the United States and the Gov-

ernment of Canada for the conservation of salmon stocks originating from the Yukon River in Canada that includes provisions governing projects authorized under this section, then—

(1) projects under this section shall be carried out in accordance with that agreement; and

(2) amounts available for projects under this section—

(A) shall be expended in accordance with the agreement; and

(B) may be deposited in any joint account established by the agreement to fund such projects.

(Pub. L. 106-450, title II, §207, Nov. 7, 2000, 114 Stat. 1944.)

**§ 5727. Authorization of appropriations**

There are authorized to be appropriated to the Secretary of the Interior to carry out this subchapter \$4,000,000 for each of fiscal years 2007 through 2011 of which—

(1) such sums as are necessary shall be available each fiscal year for travel expenses of Panel members, alternate Panel members, United States members of the Joint Technical Committee established by paragraph C.2 of the memorandum of understanding concerning the Pacific Salmon Treaty between the Government of the United States and the Government of Canada (recorded January 28, 1985), and members of an advisory committee established and appointed under section 5722 of this title, in accordance with Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5;

(2) such sums as are necessary shall be available for the United States share of expenses incurred by the Joint Technical Committee and any panel established by any agreement between the Government of the United States and the Government of Canada for restoration and enhancement of salmon originating in Canada;

(3) up to \$3,000,000 shall be available each fiscal year for activities by the Department of the Interior and the Department of Commerce for survey, restoration, and enhancement activities related to salmon stocks originating from the Yukon River in Canada, of which up to \$1,200,000 shall be available each fiscal year for Yukon River salmon stock restoration and enhancement projects under section 5726(b) of this title; and

(4) \$600,000 shall be available each fiscal year for cooperative salmon research and management projects in the portion of the Yukon River drainage located in the United States that are recommended by the Panel.

(Pub. L. 106-450, title II, §208, Nov. 7, 2000, 114 Stat. 1944; Pub. L. 108-219, title III, §303, Apr. 13, 2004, 118 Stat. 616; Pub. L. 109-479, title III, §302(b), Jan. 12, 2007, 120 Stat. 3623.)

## AMENDMENTS

2007—Pub. L. 109-479 substituted “\$4,000,000 for each of fiscal years 2007 through 2011” for “\$4,000,000 for each of fiscal years 2004 through 2008.”

2004—Pub. L. 108-219 substituted “2004 through 2008” for “2000, 2001, 2002, and 2003” in introductory provisions.

<sup>1</sup> So in original. Probably should be “171”.