

the United States and the Government of Canada recorded January 28, 1985.

(Pub. L. 104-43, title VII, §703, Nov. 3, 1995, 109 Stat. 393.)

### § 5703. Panel

#### (a) Representation

The United States shall be represented on the Panel by six individuals, of whom—

(1) one shall be an official of the United States Government with expertise in salmon conservation and management;

(2) one shall be an official of the State of Alaska with expertise in salmon conservation and management; and

(3) four shall be knowledgeable and experienced with regard to the salmon fisheries on the Yukon River.

#### (b) Appointments

Panel members shall be appointed as follows:

(1) The Panel member described in subsection (a)(1) shall be appointed by the Secretary of State.

(2) The Panel member described in subsection (a)(2) shall be appointed by the Governor of Alaska.

(3) The Panel members described in subsection (a)(3) shall be appointed by the Secretary of State from a list of at least 3 individuals nominated for each position by the Governor of Alaska. The Governor of Alaska may consider suggestions for nominations provided by organizations with expertise in Yukon River salmon fisheries. The Governor of Alaska may make appropriate nominations to allow for, and the Secretary of State shall appoint, at least one member under subsection (a)(3) who is qualified to represent the interests of Lower Yukon River fishing districts, and at least one member who is qualified to represent the interests of Upper Yukon River fishing districts. At least one of the Panel members under subsection (a)(3) shall be an Alaska Native.

#### (c) Alternates

The Secretary of State may designate an alternate Panel member for each Panel member the Secretary appoints under subsections<sup>1</sup> (b)(1) and (3), who meets the same qualifications, to serve in the absence of the Panel member. The Governor of the State of Alaska may designate an alternative Panel member for the Panel member appointed under subsection (b)(2), who meets the same qualifications, to serve in the absence of that Panel member.

#### (d) Term length

Panel members and alternate Panel members shall serve four-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.

#### (e) Reappointment

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

#### (f) Decisions

Decisions by the United States section of the Panel shall be made by the consensus of the

Panel members appointed under paragraphs (2) and (3) of subsection (a).

#### (g) Consultation

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

(Pub. L. 104-43, title VII, §704, Nov. 3, 1995, 109 Stat. 393.)

### § 5704. Advisory Committee

#### (a) Appointments

The Governor of Alaska may appoint an Advisory Committee of not less than eight, but not more than twelve, individuals who are knowledgeable and experienced with regard to the salmon fisheries on the Yukon River. At least 2 of the Advisory Committee members shall be Alaska Natives. Members of the Advisory Committee may attend all meetings of the United States section of the Panel, and shall be given the opportunity to examine and be heard on any matter under consideration by the United States section of the Panel.

#### (b) Compensation

The members of such Advisory Committee shall receive no compensation for their services.

#### (c) Term length

Advisory Committee members shall serve two-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

Advisory Committee members shall be eligible for reappointment.

(Pub. L. 104-43, title VII, §705, Nov. 3, 1995, 109 Stat. 394.)

### § 5705. Exemption

The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Panel, the Yukon River Joint Technical Committee, or the Advisory Committee created under section 5704 of this title.

(Pub. L. 104-43, title VII, §706, Nov. 3, 1995, 109 Stat. 394.)

#### 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.

### § 5706. 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 the Agreement.

#### (b) Effect of designation

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

<sup>1</sup> So in original. Probably should be "subsection".