

4, 1992, 106 Stat. 5098; Pub. L. 104-43, title IV, § 404(b), Nov. 3, 1995, 109 Stat. 391; Pub. L. 106-562, title III, § 304(a), Dec. 23, 2000, 114 Stat. 2806.)

Editorial Notes

REFERENCES IN TEXT

Proclamation Numbered 5030, dated March 10, 1983, referred to in par. (10), is set out as a note under section 1453 of this title.

CODIFICATION

Title VIII of Pub. L. 102-567 and Pub. L. 102-587 enacted substantially identical sections. Title VIII of Pub. L. 102-587 was repealed by Pub. L. 106-562.

AMENDMENTS

1995—Par. (13)(C). Pub. L. 104-43 amended subpar. (C) generally. Prior to amendment, subpar. (C) read as follows: “any vessel described in subparagraph (A) or (B).”

§ 5003. United States Commissioners

(a) Commissioners

The United States shall be represented on the Commission by not more than three United States Commissioners to be appointed by and serve at the pleasure of the President. Each United States Commissioner shall be appointed for a term of office not to exceed 4 years, but is eligible for reappointment. Individuals serving as such Commissioners shall not be considered to be Federal employees while performing such service, except for purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 171 of title 28. Of the Commissioners—

- (1) one shall be an official of the United States Government;
- (2) one shall be a resident of the State of Alaska; and
- (3) one shall be a resident of the State of Washington.

An individual is not eligible for appointment under paragraph (2) or (3) as a Commissioner unless the individual is knowledgeable or experienced concerning the anadromous stocks and ecologically related species of the North Pacific Ocean.

(b) Alternate Commissioners

The Secretary, in consultation with the Secretary of Commerce, may designate from time to time Alternate United States Commissioners to the Commission. An Alternate United States Commissioner may exercise all designated powers and duties of a United States Commissioner in the absence of a duly designated Commissioner for whatever reason. The number of such Alternate United States Commissioners that may be designated for any such meeting shall be limited to the number of authorized United States Commissioners that will not be present.

(c) United States Section

The United States Section, in consultation with the Advisory Panel established in section 5004 of this title, shall identify and recommend to the Commission research needs and priorities for anadromous stocks and ecologically related species subject to the Convention, and oversee the United States research programs involving such fisheries, stocks, and species.

(d) Compensation

United States Commissioners and Alternate United States Commissioners shall receive no compensation for their services as Commissioners and Alternate Commissioners.

(e) Travel expenses

(1) In general

The Secretary may pay the necessary travel expenses of the United States Commissioners and Alternate United States Commissioners in carrying out the duties of the Commission in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5.

(2) Reimbursement

The Secretary of Commerce may reimburse the Secretary for amounts expended by the Secretary under this subparagraph.¹

(Pub. L. 102-567, title VIII, § 804, Oct. 29, 1992, 106 Stat. 4310; Pub. L. 102-587, title VIII, § 8004, Nov. 4, 1992, 106 Stat. 5099; Pub. L. 106-562, title III, § 304, Dec. 23, 2000, 114 Stat. 2806; Pub. L. 114-327, title I, § 121(b)(1), Dec. 16, 2016, 130 Stat. 1984.)

Editorial Notes

CODIFICATION

Title VIII of Pub. L. 102-567 and Pub. L. 102-587 enacted identical sections. Title VIII of Pub. L. 102-587 was repealed by Pub. L. 106-562.

AMENDMENTS

2016—Subsec. (e). Pub. L. 114-327 added subsec. (e).

2000—Subsec. (a). Pub. L. 106-562, § 304(b), inserted after second sentence “Individuals serving as such Commissioners shall not be considered to be Federal employees while performing such service, except for purposes of injury compensation or tort claims liability as provided in chapter 81 of title 5 and chapter 171 of title 28.”

§ 5004. Advisory Panel

(a) Establishment of Panel

An Advisory Panel to the United States Section is established. The Advisory Panel shall be composed of the following:

- (1) The Commissioner of the Alaska Department of Fish and Game.
- (2) The Director of the Washington Department of Fisheries.
- (3) One representative of the Pacific States Marine Fisheries Commission, designated by the Executive Director of that commission.

(4) Eleven members (six of whom shall be residents of the State of Alaska and five of whom shall be residents of the State of Washington), appointed by the Secretary, in consultation with the Secretary of Commerce, from among a slate of 12 persons nominated by the Governor of Alaska and a slate of 10 persons nominated by the Governor of Washington.

(b) Qualifications

Persons appointed to the Advisory Panel shall be individuals who are knowledgeable or experienced concerning anadromous stocks and eco-

¹ So in original. Probably should be “subsection”.