

provided in Article IX of the Convention” for “including use for payment as the United States contribution to the Organization as provided in Article XVI of the Convention” and “2021” for “2012”.

2007—Pub. L. 109-479 substituted “2012” for “2006”.

2002—Pub. L. 107-372 substituted “2006” for “2001”.

1998—Pub. L. 105-384 substituted “for each fiscal year through fiscal year 2001” for “for each of the fiscal years 1995, 1996, 1997, and 1998”.

**§ 5611. Repealed. Pub. L. 113-188, title II, § 201(f), Nov. 26, 2014, 128 Stat. 2018**

Section, Pub. L. 104-43, title II, § 212, as added Pub. L. 105-384, title II, § 201(c), Nov. 13, 1998, 112 Stat. 3452, required annual reports on the activities of the Fisheries Commission, the General Council, the Scientific Council, and the consultative committee established under section 5607 of this title.

**§ 5612. Repealed. Pub. L. 114-327, title V, § 510, Dec. 16, 2016, 130 Stat. 1998**

Section, Pub. L. 104-43, title II, § 213, as added Pub. L. 105-384, title II, § 201(d), Nov. 13, 1998, 112 Stat. 345, related to quota allocation practice under the Convention.

**CHAPTER 77—YUKON RIVER SALMON**

**SUBCHAPTER I—IMPLEMENTATION OF INTERIM AGREEMENT**

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**SUBCHAPTER I—IMPLEMENTATION OF INTERIM AGREEMENT**

**§ 5701. Purposes**

It is the purpose of this subchapter—

(1) to implement the interim agreement for the conservation of salmon stocks originating from the Yukon River in Canada agreed to through an exchange of notes between the Government of the United States and the Government of Canada on February 3, 1995;

(2) to provide for representation by the United States on the Yukon River Panel established under such agreement; and

(3) to authorize to be appropriated sums necessary to carry out the responsibilities of the United States under such agreement.

(Pub. L. 104-43, title VII, § 702, Nov. 3, 1995, 109 Stat. 392.)

**Statutory Notes and Related Subsidiaries**

**SHORT TITLE OF 2004 AMENDMENT**

Pub. L. 108-219, title III, § 301, Apr. 13, 2004, 118 Stat. 616, provided that: “This title [amending section 5727 of

this title and section 1977 of Title 22, Foreign Relations and Intercourse] may be cited as the ‘International Fisheries Reauthorization Act of 2004’.”

**SHORT TITLE**

Pub. L. 104-43, title VII, § 701, Nov. 3, 1995, 109 Stat. 392, provided that: “This title [enacting this subchapter] may be cited as the ‘Yukon River Salmon Act of 1995’.”

Pub. L. 106-450, title II, § 201, Nov. 7, 2000, 114 Stat. 1941, provided that: “This title [enacting subchapter II of this chapter] may be cited as the ‘Yukon River Salmon Act of 2000’.”

**§ 5702. Definitions**

As used in this subchapter—

(1) The term “Agreement” means the interim agreement for the conservation of salmon stocks originating from the Yukon River in Canada agreed to through an exchange of notes between the Government of the United States and the Government of Canada on February 3, 1995.

(2) The term “Panel” means the Yukon River Panel established by the Agreement.

(3) The term “Yukon River Joint Technical Committee” means the 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.

(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.

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

(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.)

**Editorial Notes**

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.

**(c) Recommendations of Panel**

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

(Pub. L. 104-43, title VII, §707, Nov. 3, 1995, 109 Stat. 394.)

**§ 5707. Continuation of Agreement**

In the event that the Treaty between Canada and the United States of America concerning Pacific Salmon, signed at Ottawa, January 28, 1985, terminates prior to the termination of the Agreement, and the functions of the Panel are assumed by the "Yukon River Salmon Commission" referenced in the Agreement, the provisions of this subchapter which apply to the Panel shall thereafter apply to the Yukon River Salmon Commission, and the other provisions of this subchapter shall remain in effect.

(Pub. L. 104-43, title VII, §708, Nov. 3, 1995, 109 Stat. 394.)

**§ 5708. Administrative matters**

**(a) Compensation of Panel members**

Panel members and alternate Panel members who are not State or Federal employees shall receive compensation at the daily rate of GS-15 of