

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 subsections¹ (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.

¹ 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