

(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), 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).

(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.)

Editorial Notes

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.

Statutory Notes and Related Subsidiaries

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.)

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.

§ 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) 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 71¹ of title 28.

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

Editorial Notes

REFERENCES IN TEXT

GS-15 of the General Schedule, referred to in subsec. (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 Government 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 sub-

chapter \$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.)

Editorial Notes

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.

CHAPTER 78—NATIONAL NATURAL RESOURCES CONSERVATION FOUNDATION

Sec.
5801 to 5809 repealed.

§§ 5801 to 5809. Repealed. Pub. L. 115-334, title II, § 2813, Dec. 20, 2018, 132 Stat. 4602

Section 5801, Pub. L. 104-127, title III, §352, Apr. 4, 1996, 110 Stat. 1010, defined terms in this chapter.

Section 5802, Pub. L. 104-127, title III, §353, Apr. 4, 1996, 110 Stat. 1010, established National Natural Resources Conservation Foundation as a charitable and nonprofit corporation to promote innovative solutions to the problems associated with the conservation of natural resources on private lands.

Section 5803, Pub. L. 104-127, title III, §354, Apr. 4, 1996, 110 Stat. 1011, directed administration of the Foundation by a Board of Trustees and set forth provisions relating to its composition and operation.

¹ So in original. Probably should be “171”.