

**§ 5608. Administrative matters****(a) Prohibition on compensation**

A person shall not receive any compensation from the Government by reason of any service of the person as—

- (1) a Commissioner, Alternate Commissioner, Representative, or Alternative Representative;
- (2) an expert or adviser authorized under section 5601(e) of this title; or
- (3) a member of the consultative committee established by section 5607 of this title.

**(b) Travel and expenses**

The Secretary of State shall, subject to the availability of appropriations, pay all necessary travel and other expenses of persons described in subsection (a)(1) of this section and of not more than six experts and advisers authorized under section 5601(e) of this title with respect to their actual performance of their official duties pursuant to this chapter, in accordance with the Federal Travel Regulations and sections 5701, 5702, 5704 through 5708, and 5731 of title 5.

**(c) Status as Federal employees**

A person shall not be considered to be a Federal employee by reason of any service of the person in a capacity described in subsection (a) of this section, except for purposes of injury compensation and tort claims liability under chapter 81 of title 5 and chapter 17<sup>1</sup> of title 28, respectively.

(Pub. L. 104-43, title II, §209, Nov. 3, 1995, 109 Stat. 381.)

**§ 5609. Definitions**

In this chapter the following definitions apply:

**(1) Authorized enforcement officer**

The term “authorized enforcement officer” means a person authorized to enforce this chapter, any regulation issued under this chapter, or any measure that is legally binding on the United States under the Convention.

**(2) Commissioner**

The term “Commissioner” means a United States Commissioner to the Northwest Atlantic Fisheries Organization appointed under section 5601(a) of this title.

**(3) Convention**

The term “Convention” means the Convention on Future Multilateral Cooperation in the Northwest Atlantic Fisheries, done at Ottawa on October 24, 1978.

**(4) Fisheries Commission**

The term “Fisheries Commission” means the Fisheries Commission provided for by Articles II, XI, XII, XIII, and XIV of the Convention.

**(5) General Council**

The term “General Council” means the General Council provided for by Article<sup>1</sup> II, III, IV, and V of the Convention.

<sup>1</sup> So in original. Probably should be chapter “171”.

<sup>1</sup> So in original. Probably should be “Articles”.

**(6) Magnuson Act**

The term “Magnuson Act” means the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

**(7) Organization**

The term “Organization” means the Northwest Atlantic Fisheries Organization provided for by Article II of the Convention.

**(8) Person**

The term “person” means any individual (whether or not a citizen or national of the United States), and any corporation, partnership, association, or other entity (whether or not organized or existing under the laws of any State).

**(9) Representative**

The term “Representative” means a United States Representative to the Northwest Atlantic Fisheries Scientific Council appointed under section 5601(c) of this title.

**(10) Scientific Council**

The term “Scientific Council” means the Scientific Council provided for by Articles II, VI, VII, VIII, IX, and X of the Convention.

**(11) Secretary**

The term “Secretary” means the Secretary of Commerce.

(Pub. L. 104-43, title II, §210, Nov. 3, 1995, 109 Stat. 381; Pub. L. 104-208, div. A, title I, §101(a) [title II, §211(b)], Sept. 30, 1996, 110 Stat. 3009, 3009-41.)

## REFERENCES IN TEXT

The Magnuson-Stevens Fishery Conservation and Management Act, referred to in par. (6), is Pub. L. 94-265, Apr. 13, 1976, 90 Stat. 331, as amended, which is classified principally to chapter 38 (§1801 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1801 of this title and Tables.

## AMENDMENTS

1996—Par. (6). Pub. L. 104-208 substituted “Magnuson-Stevens Fishery” for “Magnuson Fishery”.

## EFFECTIVE DATE OF 1996 AMENDMENT

Section 101(a) [title II, §211(b)] of div. A of Pub. L. 104-208 provided that the amendment made by that section is effective 15 days after Oct. 11, 1996.

**§ 5610. Authorization of appropriations**

There are authorized to be appropriated to carry out this chapter, including use for payment as the United States contribution to the Organization as provided in Article XVI of the Convention, \$500,000 for each of the fiscal years 1995, 1996, 1997, and 1998.

(Pub. L. 104-43, title II, §211, Nov. 3, 1995, 109 Stat. 382.)

**CHAPTER 77—YUKON RIVER SALMON**

Sec. 5701.	Purposes.
5702.	Definitions.
5703.	Panel.
	(a) Representation.
	(b) Appointments.
	(c) Alternates.

- Sec.
- (d) Term length.
  - (e) Reappointment.
  - (f) Decisions.
  - (g) Consultation.
5704. Advisory Committee.
- (a) Appointments.
  - (b) Compensation.
  - (c) Term length.
  - (d) Reappointment.
5705. Exemption.
5706. Authority and responsibility.
- (a) Responsible management entity.
  - (b) Effect of designation.
  - (c) Recommendations of Panel.
5707. Continuation of Agreement.
5708. Administrative matters.
- (a) Compensation of Panel members.
  - (b) Travel and other expenses.
  - (c) Status as Federal employees.
5709. Authorization of appropriations.

### § 5701. Purposes

It is the purpose of this chapter—

(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.)

#### SHORT TITLE

Section 701 of title VII of Pub. L. 104-43 provided that: “This title [enacting this chapter] may be cited as the ‘Yukon River Salmon Act of 1995’.”

### § 5702. Definitions

As used in this chapter—

(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) of this section shall be appointed by the Secretary of State.

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

(3) The Panel members described in subsection (a)(3) of this section 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) of this section 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) of this section 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) of this section, 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) of this section, 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) of this section.

#### (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.)

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