

106TH CONGRESS
1ST SESSION

H. R. 1652

To establish the Yukon River Salmon Advisory Panel.

IN THE HOUSE OF REPRESENTATIVES

APRIL 29, 1999

Mr. YOUNG of Alaska (for himself and Mr. SAXTON) introduced the following bill; which was referred to the Committee on Resources

A BILL

To establish the Yukon River Salmon Advisory Panel.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Yukon River Salmon
5 Act of 1999”.

6 **SEC. 2. YUKON RIVER SALMON PANEL.**

7 (a) ESTABLISHMENT.—

8 (1) IN GENERAL.—There shall be a Yukon
9 River Salmon Panel (in this Act referred to as the
10 “Panel”).

11 (2) FUNCTIONS.—The Panel shall—

1 (A) advise the Secretary of State regarding
2 the negotiation of any international agreement
3 with Canada relating to management of salmon
4 stocks originating from the Yukon River in
5 Canada;

6 (B) advise the Secretary of the Interior re-
7 garding restoration and enhancement of such
8 salmon stocks; and

9 (C) perform other functions relating to
10 conservation and management of such salmon
11 stocks as authorized by this or any other Act.

12 (3) DESIGNATION AS UNITED STATES REP-
13 RESENTATIVES ON BILATERAL BODY.—The Sec-
14 retary of State may designate the members of the
15 Panel to be the United States representatives on any
16 successor to the panel established by the interim
17 agreement for the conservation of salmon stocks
18 originating from the Yukon River in Canada agreed
19 to through an exchange of notes between the Gov-
20 ernment of the United States and the Government
21 of Canada on February 3, 1995, if authorized by the
22 agreement establishing such successor.

23 (b) MEMBERSHIP.—

24 (1) IN GENERAL.—The Panel shall be com-
25 prised of six members, as follows:

1 (A) One member who is an official of the
2 United States Government with expertise in
3 salmon conservation and management, who
4 shall be appointed by the Secretary of State.

5 (B) One member who is an official of the
6 State of Alaska with expertise in salmon con-
7 servation and management, who shall be ap-
8 pointed by the Governor of Alaska.

9 (C) Four members who are knowledgeable
10 and experienced with regard to the salmon fish-
11 eries on the Yukon River, who shall be ap-
12 pointed by the Secretary of State in accordance
13 with paragraph (2).

14 (2) APPOINTEES FROM ALASKA.—(A) The Sec-
15 retary of State shall appoint the members under
16 paragraph (1)(C) from a list of at least 3 individuals
17 nominated for each position by the Governor of
18 Alaska.

19 (B) In making the nominations, the Governor
20 of Alaska may consider suggestions for nominations
21 provided by organizations with expertise in Yukon
22 River salmon fisheries.

23 (C) The Governor of Alaska may make appro-
24 priate nominations to allow for appointment of, and

1 the Secretary of State shall appoint, under para-
2 graph (1)(C)—

3 (i) at least one member who is qualified to
4 represent the interests of Lower Yukon River
5 fishing districts; and

6 (ii) at least one member who is qualified to
7 represent the interests of Upper Yukon River
8 fishing districts.

9 (D) At least one of the members appointed
10 under paragraph (1)(C) shall be an Alaska Native.

11 (3) ALTERNATES.—(A) The Secretary of State
12 may designate an alternate Panel member for each
13 Panel member the Secretary appoints under para-
14 graphs (1) (A) and (C), who meets the same quali-
15 fications, to serve in the absence of the Panel mem-
16 ber.

17 (B) The Governor of the State of Alaska may
18 designate an alternative Panel member for the Panel
19 member appointed under subsection (b)(1)(B), who
20 meets the same qualifications, to serve in the ab-
21 sence of that Panel member.

22 (c) TERM LENGTH.—Panel members and alternate
23 Panel members shall serve four-year terms. Any individual
24 appointed to fill a vacancy occurring before the expiration

1 of any term shall be appointed for the remainder of that
2 term.

3 (d) REAPPOINTMENT.—Panel members and alternate
4 Panel members shall be eligible for reappointment.

5 (e) DECISIONS.—Decisions of the Panel shall be
6 made by the consensus of the Panel members appointed
7 under subparagraphs (B) and (C) of subsection (b)(1).

8 (f) CONSULTATION.—In carrying out their functions,
9 Panel members may consult with such other interested
10 parties as they consider appropriate.

11 **SEC. 3. ADVISORY COMMITTEE.**

12 (a) APPOINTMENTS.—The Governor of Alaska may
13 establish and appoint an advisory committee of not less
14 than 8, but not more than 12, individuals who are knowl-
15 edgeable and experienced with regard to the salmon fish-
16 eries on the Yukon River. At least 2 of the advisory com-
17 mittee members shall be Alaska Natives. Members of the
18 advisory committee may attend all meetings of the Panel,
19 and shall be given the opportunity to examine and be
20 heard on any matter under consideration by the Panel.

21 (b) COMPENSATION.—The members of such advisory
22 committee shall receive no compensation for their services.

23 (c) TERM LENGTH.—Members of such advisory com-
24 mittee shall serve two-year terms. Any individual ap-
25 pointed to fill a vacancy occurring before the expiration

1 of any term shall be appointed for the remainder of that
2 term.

3 (d) REAPPOINTMENT.—Members of such advisory
4 committee shall be eligible for reappointment.

5 **SEC. 4. EXEMPTION.**

6 The Federal Advisory Committee Act (5 U.S.C. App.)
7 shall not apply to the Panel or to an advisory committee
8 established under section 3.

9 **SEC. 5. AUTHORITY AND RESPONSIBILITY.**

10 (a) RESPONSIBLE MANAGEMENT ENTITY.—The
11 State of Alaska Department of Fish and Game shall be
12 the responsible management entity for the United States
13 for the purposes of any agreement with Canada regarding
14 management of salmon stocks originating from the Yukon
15 River in Canada.

16 (b) EFFECT OF DESIGNATION.—The designation
17 under subsection (a) shall not be considered to expand,
18 diminish, or otherwise change the management authority
19 of the State of Alaska or the Federal Government with
20 respect to fishery resources.

21 (c) RECOMMENDATIONS OF PANEL.—In addition to
22 recommendations made by the Panel to the responsible
23 management entities in accordance with any agreement
24 with Canada regarding management of salmon stocks
25 originating from the Yukon River in Canada, the Panel

1 may make recommendations concerning the conservation
2 and management of salmon originating in the Yukon River
3 to the Department of the Interior, the Department of
4 Commerce, the Department of State, the North Pacific
5 Fishery Management Council, and other Federal or State
6 entities as appropriate. Recommendations by the Panel
7 shall be advisory in nature.

8 **SEC. 6. ADMINISTRATIVE MATTERS.**

9 (a) COMPENSATION.—Panel members and alternate
10 Panel members who are not State or Federal employees
11 shall receive compensation at the daily rate of GS–15 of
12 the General Schedule when engaged in the actual perform-
13 ance of duties.

14 (b) TRAVEL AND OTHER NECESSARY EXPENSES.—
15 Travel and other necessary expenses shall be paid by the
16 Secretary of the Interior for all Panel members, alternate
17 Panel members, and members of any advisory committee
18 established under section 3 when engaged in the actual
19 performance of duties.

20 (c) TREATMENT AS FEDERAL EMPLOYEES.—Except
21 for officials of the United States Government, all Panel
22 members, alternate Panel members, and members of any
23 advisory committee established under section 3 shall not
24 be considered to be Federal employees while engaged in
25 the actual performance of duties, except for the purposes

1 of injury compensation or tort claims liability as provided
2 in chapter 81 of title 5, United States Code, and chapter
3 71 of title 28, United States Code.

4 **SEC. 7. YUKON RIVER SALMON STOCK RESTORATION AND**
5 **ENHANCEMENT PROJECTS.**

6 (a) IN GENERAL.—The Secretary of the Interior may
7 carry out projects to restore or enhance salmon stocks
8 originating from the Yukon River in Canada.

9 (b) COOPERATION WITH CANADA.—If there is in ef-
10 fect an agreement between the Government of the United
11 States and the Government of Canada for the conservation
12 of salmon stocks originating from the Yukon River in Can-
13 ada that includes provisions governing projects authorized
14 under this section, then—

15 (1) projects under this section shall be carried
16 out in accordance with that agreement; and

17 (2) amounts available for projects under this
18 section—

19 (A) shall be expended in accordance with
20 the agreement; and

21 (B) may be deposited in any joint account
22 established by the agreement to fund such
23 projects.

1 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

2 There are authorized to be appropriated to the Sec-
3 retary of the Interior to carry out this Act \$4,000,000
4 for each of fiscal years 2000, 2001, 2002, and 2003, of
5 which—

6 (1) such sums as are necessary shall be avail-
7 able each fiscal year for travel expenses of Panel
8 members, alternate Panel members, and members of
9 an advisory committee established appointed under
10 section 3, in accordance with Federal Travel Regula-
11 tions and sections 5701, 5702, 5704 through 5708,
12 and 5731 of title 5, United States Code;

13 (2) up to \$3,000,000 shall be available each fis-
14 cal year for activities by the Department of the Inte-
15 rior and the Department of Commerce for survey,
16 restoration, and enhancement activities related to
17 salmon stocks originating from the Yukon River in
18 Canada, of which up to \$1,200,000 shall be available
19 each fiscal year for Yukon River salmon stock res-
20 toration and enhancement projects under section
21 7(b); and

22 (3) \$600,000 shall be available each fiscal year
23 for cooperative salmon research and management
24 projects in the portion of the Yukon River drainage

- 1 located in the United States that are recommended
- 2 by the Panel.

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