

son in waters or on lands under the jurisdiction of the United States—

(1) to take any polar bear in violation of the Agreement;

(2) to take any polar bear in violation of the Agreement or any annual taking limit or other restriction on the taking of polar bears that is adopted by the Commission pursuant to the Agreement;

(3) to import, export, possess, transport, sell, receive, acquire, or purchase, exchange, barter, or offer to sell, purchase, exchange, or barter any polar bear, or any part or product of a polar bear, that is taken in violation of paragraph (2);

(4) to import, export, sell, purchase, exchange, barter, or offer to sell, purchase, exchange, or barter, any polar bear gall bile or polar bear gall bladder;

(5) to attempt to commit, solicit another person to commit, or cause to be committed, any offense under this subsection; or

(6) to violate any regulation promulgated by the Secretary to implement any of the prohibitions established in this subsection.

**(b) Exceptions**

For the purpose of forensic testing or any other law enforcement purpose, the Secretary, and Federal law enforcement officials, and any State or local law enforcement official authorized by the Secretary, may import a polar bear or any part or product of a polar bear.

(Pub. L. 92-522, title V, § 502, as added Pub. L. 109-479, title IX, § 902(a), Jan. 12, 2007, 120 Stat. 3661.)

**§ 1423b. Administration**

**(a) In general**

The Secretary, acting through the Director of the United States Fish and Wildlife Service, shall do all things necessary and appropriate, including the promulgation of regulations, to implement, enforce, and administer the provisions of the Agreement on behalf of the United States. The Secretary shall consult with the Secretary of State and the Alaska Nanuq Commission on matters involving the implementation of the Agreement.

**(b) Utilization of other government resources and authorities**

**(1) Other government resources**

The Secretary may utilize by agreement, with or without reimbursement, the personnel, services, and facilities of any other Federal agency, any State agency, or the Alaska Nanuq Commission for purposes of carrying out this subchapter or the Agreement.

**(2) Other powers and authorities**

Any person authorized by the Secretary under this subsection to enforce this subchapter or the Agreement shall have the authorities that are enumerated in section 3375(b) of this title.

**(c) Ensuring compliance**

**(1) Subchapter II authorities**

The Secretary may use authorities granted under subchapter II for enforcement, imposi-

tion of penalties, and the seizure of cargo for violations under this subchapter, provided that any polar bear or any part or product of a polar bear taken, imported, exported, possessed, transported, sold, received, acquired, purchased, exchanged, or bartered, or offered for sale, purchase, exchange, or barter in violation of this subchapter, shall be subject to seizure and forfeiture to the United States without any showing that may be required for assessment of a civil penalty or for criminal prosecution under this chapter.

**(2) Additional authorities**

Any gun, trap, net, or other equipment used, and any vessel, aircraft, or other means of transportation used, to aid in the violation or attempted violation of this subchapter shall be subject to seizure and forfeiture under section 1376 of this title.

**(d) Regulations**

**(1) In general**

The Secretary shall promulgate such regulations as are necessary to carry out this subchapter and the Agreement.

**(2) Ordinances and regulations**

If necessary to carry out this subchapter and the Agreement, and to improve compliance with any annual taking limit or other restriction on taking adopted by the Commission and implemented by the Secretary in accordance with this subchapter, the Secretary may promulgate regulations that adopt any ordinance or regulation that restricts the taking of polar bears for subsistence purposes if the ordinance or regulation has been promulgated by the Alaska Nanuq Commission.

(Pub. L. 92-522, title V, § 503, as added Pub. L. 109-479, title IX, § 902(a), Jan. 12, 2007, 120 Stat. 3662.)

**§ 1423c. Cooperative management agreement; authority to delegate enforcement authority**

**(a) In general**

The Secretary, acting through the Director of the United States Fish and Wildlife Service, may share authority under this subchapter for the management of the taking of polar bears for subsistence purposes with the Alaska Nanuq Commission if such commission is eligible under subsection (b).

**(b) Delegation**

To be eligible for the management authority described in subsection (a), the Alaska Nanuq Commission shall—

(1) enter into a cooperative agreement with the Secretary under section 1388 of this title for the conservation of polar bears;

(2) meaningfully monitor compliance with this subchapter and the Agreement by Alaska Natives; and

(3) administer its co-management program for polar bears in accordance with—

(A) this subchapter; and

(B) the Agreement.

(Pub. L. 92-522, title V, § 504, as added Pub. L. 109-479, title IX, § 902(a), Jan. 12, 2007, 120 Stat. 3662.)