

**§ 1423d. Commission appointments; compensation, travel expenses, and claims**

**(a) Appointment of United States commissioners**  
**(1) Appointment**

The United States commissioners on the Commission shall be appointed by the President, in accordance with paragraph 2 of article 8 of the Agreement, after taking into consideration the recommendations of—

- (A) the Secretary;
- (B) the Secretary of State; and
- (C) the Alaska Nanuq Commission.

**(2) Qualifications**

With respect to the United States commissioners appointed under this subsection, in accordance with paragraph 2 of article 8 of the Agreement—

- (A) 1 United States commissioner shall be an official of the Federal Government;
- (B) 1 United States commissioner shall be a representative of the Native people of Alaska, and, in particular, the Native people for whom polar bears are an integral part of their culture; and
- (C) both commissioners shall be knowledgeable of, or have expertise in, polar bears.

**(3) Service and term**

Each United States commissioner shall serve—

- (A) at the pleasure of the President; and
- (B) for an initial 4-year term and such additional terms as the President shall determine.

**(4) Vacancies**

**(A) In general**

Any individual appointed to fill a vacancy occurring before the expiration of any term of office of a United States commissioner shall be appointed for the remainder of that term.

**(B) Manner**

Any vacancy on the Commission shall be filled in the same manner as the original appointment.

**(b) Alternate commissioners**

**(1) In general**

The Secretary, in consultation with the Secretary of State and the Alaska Nanuq Commission, shall designate an alternate commissioner for each member of the United States section.

**(2) Duties**

In the absence of a United States commissioner, an alternate commissioner may exercise all functions of the United States commissioner at any meetings of the Commission or of the United States section.

**(3) Reappointment**

An alternate commissioner—

- (A) shall be eligible for reappointment by the President; and
- (B) may attend all meetings of the United States section.

**(c) Duties**

The members of the United States section may carry out the functions and responsibilities

described in article 8 of the Agreement in accordance with this subchapter and the Agreement.

**(d) Compensation and expenses**

**(1) Compensation**

A member of the United States section shall serve without compensation.

**(2) Travel expenses**

A member of the United States section shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5 while away from the home or regular place of business of the member in the performance of the duties of the United States-Russia Polar Bear Commission.

**(e) Agency designation**

The United States section shall, for the purpose of title 28 relating to claims against the United States and tort claims procedure, be considered to be a Federal agency.

(Pub. L. 92-522, title V, §505, as added Pub. L. 109-479, title IX, §902(a), Jan. 12, 2007, 120 Stat. 3663.)

**§ 1423e. Votes taken by the United States section on matters before the Commission**

In accordance with paragraph 3 of article 8 of the Agreement, the United States section, made up of commissioners appointed by the President, shall vote on any issue before the United States-Russia Polar Bear Commission only if there is no disagreement between the United States commissioners regarding the vote.

(Pub. L. 92-522, title V, §506, as added Pub. L. 109-479, title IX, §902(a), Jan. 12, 2007, 120 Stat. 3664.)

**§ 1423f. Implementation of actions taken by the Commission**

**(a) In general**

The Secretary shall take all necessary actions to implement the decisions and determinations of the Commission under paragraph 7 of article 8 of the Agreement.

**(b) Taking limitation**

Not later than 60 days after the date on which the Secretary receives notice of the determination of the Commission of an annual taking limit, or of the adoption by the Commission of other restriction on the taking of polar bears for subsistence purposes, the Secretary shall publish a notice in the Federal Register announcing the determination or restriction.

(Pub. L. 92-522, title V, §507, as added Pub. L. 109-479, title IX, §902(a), Jan. 12, 2007, 120 Stat. 3664.)

**§ 1423g. Application with other subchapters of chapter**

**(a) In general**

The authority of the Secretary under this subchapter is in addition to, and shall not affect—

- (1) the authority of the Secretary under other subchapters<sup>1</sup> of this chapter or the

<sup>1</sup> See References in Text note below.