

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.)

**§ 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 Presi-

dent, 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.