

Sec.	
2404.	Permits.
2405.	Regulations.
2406.	Notification of travel to Antarctica.
2407.	Civil penalties.
2408.	Criminal offenses.
2409.	Enforcement.
2410.	Jurisdiction of district courts.
2411.	Federal agency cooperation.
2412.	Relationship to existing treaties.
2413.	Saving provisions.

§ 2401. Congressional findings and declaration of purpose

(a) Findings

The Congress finds that—

(1) for well over a quarter of a century, scientific investigation has been the principal activity of the Federal Government and United States nationals in Antarctica;

(2) more recently, interest of American tourists in Antarctica has increased;

(3) as the lead civilian agency in Antarctica, the National Science Foundation has long had responsibility for ensuring that United States scientific activities and tourism, and their supporting logistics operations, are conducted with an eye to preserving the unique values of the Antarctic region;

(4) the Antarctic Treaty and the Protocol establish a firm foundation for the conservation of Antarctic resources, for the continuation of international cooperation and the freedom of scientific investigation in Antarctica; and

(5) the Antarctic Treaty and the Protocol establish international mechanisms and create legal obligations necessary for the maintenance of Antarctica as a natural reserve devoted to peace and science.

(b) Purpose

The purpose of this chapter is to provide for the conservation and protection of the fauna and flora of Antarctica, and of the ecosystem upon which such fauna and flora depend, consistent with the Antarctic Treaty and the Protocol.

(Pub. L. 95-541, § 2, Oct. 28, 1978, 92 Stat. 2048; Pub. L. 104-227, title I, § 101, Oct. 2, 1996, 110 Stat. 3034.)

AMENDMENTS

1996—Subsec. (a)(1) to (3). Pub. L. 104-227, § 101(a)(1), added pars. (1) to (3). Former pars. (1) and (2) redesignated (4) and (5), respectively.

Subsec. (a)(4). Pub. L. 104-227, § 101(a)(1), (2), redesignated par. (1) as (4) and substituted “the Protocol establish a firm foundation for the conservation of Antarctic resources,” for “the Agreed Measures for the Conservation of Antarctic Fauna and Flora, adopted at the Third Antarctic Treaty Consultative Meeting, have established a firm foundation”.

Subsec. (a)(5). Pub. L. 104-227, § 101(a)(1), (3), redesignated par. (2) as (5) and substituted “the Antarctic Treaty and the Protocol establish international mechanisms and create legal obligations necessary for the maintenance of Antarctica as a natural reserve devoted to peace and science.” for “the study of Antarctic fauna and flora, their adaptation to their rigorous environment, and their interrelationships with that environment has special scientific importance for all mankind.”

Subsec. (b). Pub. L. 104-227, § 101(b), substituted “Treaty and the Protocol” for “Treaty, the Agreed Measures for the Conservation of Antarctic Fauna and

Flora, and Recommendation VII-3 of the Eighth Antarctic Treaty Consultative Meeting”.

SHORT TITLE OF 1996 AMENDMENT

Pub. L. 104-227, § 1, Oct. 2, 1996, 110 Stat. 3034, provided that: “This Act [enacting sections 2403a and 2413 of this title, amending this section, sections 2402 to 2405, and 2463 of this title, and sections 1901 to 1903, 1905, 1907, and 1908 of Title 33, Navigation and Navigable Waters, and repealing sections 2464 and 2466 of this title] may be cited as the ‘Antarctic Science, Tourism, and Conservation Act of 1996’.”

SHORT TITLE

Pub. L. 95-541, § 1, Oct. 28, 1978, 92 Stat. 2048, provided: “That this Act [enacting this chapter, amending section 1971 of Title 22, Foreign Relations and Intercourse, and enacting a provision set out as a note under section 1971 of Title 22] may be cited as the ‘Antarctic Conservation Act of 1978’.”

§ 2402. Definitions

For purposes of this chapter—

(1) the term “Administrator” means the Administrator of the Environmental Protection Agency;

(2) the term “Antarctica” means the area south of 60 degrees south latitude;

(3) the term “Antarctic Specially Protected Area” means an area identified as such pursuant to Annex V to the Protocol;

(4) the term “Director” means the Director of the National Science Foundation;

(5) the term “harmful interference” means—

(A) flying or landing helicopters or other aircraft in a manner that disturbs concentrations of birds or seals;

(B) using vehicles or vessels, including hovercraft and small boats, in a manner that disturbs concentrations of birds or seals;

(C) using explosives or firearms in a manner that disturbs concentrations of birds or seals;

(D) willfully disturbing breeding or molting birds or concentrations of birds or seals by persons on foot;

(E) significantly damaging concentrations of native terrestrial plants by landing aircraft, driving vehicles, or walking on them, or by other means; and

(F) any activity that results in the significant adverse modification of habitats of any species or population of native mammal, native bird, native plant, or native invertebrate;

(6) the term “historic site or monument” means any site or monument listed as an historic site or monument pursuant to Annex V to the Protocol;

(7) the term “impact” means impact on the Antarctic environment and dependent and associated ecosystems;

(8) the term “import” means to land on, bring into, or introduce into, or attempt to land on, bring into or introduce into, any place subject to the jurisdiction of the United States, including the 12-mile territorial sea of the United States, whether or not such act constitutes an importation within the meaning of the customs laws of the United States;

(9) the term “native bird” means any member, at any stage of its life cycle (including