

ally to subchapter II (§ 703 et seq.) of chapter 7 of this title. For complete classification of this Act to the Code, see section 710 of this title and Tables.

AMENDMENTS

1996—Subsec. (a). Pub. L. 104-227, § 105(1), substituted “section 2403(b)” for “section 2403(a)”.

Subsec. (c)(1)(B). Pub. L. 104-227, § 105(2), substituted “Species” for “Special”.

Subsec. (e)(1)(A). Pub. L. 104-227, § 105(3)(A), (B), in subsec. (e) relating to terms and conditions of permits substituted “native plants, or native invertebrates to which the permit applies, and” for “or native plants to which the permit applies,” in cl. (i), added cl. (ii), and struck out former cls. (ii) and (iii) which read as follows:

“(ii) if any such mammal or bird is authorized to be taken, transported, carried, or shipped, the manner (which manner must be determined by the Director to be humane) in which such action must be accomplished and the area in which such taking must occur, and

“(iii) if any such plant is authorized to be collected, the location and manner in which it must be collected;”.

Subsec. (e)(2)(A). Pub. L. 104-227, § 105(3)(C)–(G), in subsec. (e) relating to terms and conditions of permits substituted “or harmful interference within Antarctica” for “within Antarctica (other than within any specially protected area)” and “Specially Protected Species” for “specially protected species” in introductory provisions, substituted “, or” for “; and” in cl. (i)(II), added subcl. (III) in cl. (i), and substituted “within Antarctica are” for “with Antarctica and” in cl. (ii)(II).

Subsec. (e)(2)(B). Pub. L. 104-227, § 105(3)(D), in subsec. (e) relating to terms and conditions of permits substituted “Specially Protected Species” for “specially protected species” in introductory provisions.

Subsec. (e)(2)(C), (D). Pub. L. 104-227, § 105(3)(H), in subsec. (e) relating to terms and conditions of permits added subpar. (C) and struck out former subpars. (C) and (D) which read as follows:

“(C) Permits authorizing the entry into any specially protected area—

“(i) may be issued only if—

“(I) there is a compelling scientific purpose for such entry which cannot be served elsewhere, and

“(II) the actions allowed under any such permit will not jeopardize the natural ecological system existing in such area; and

“(ii) shall not allow the operation of any surface vehicle within such area.

“(D) Permits authorizing the entry into any site of special scientific interest shall be consistent with the management plan prescribed under section 2405(b)(3) of this title for such site.”

§ 2405. Regulations

(a) Regulations to be issued by Director

(1) The Director shall issue such regulations as are necessary and appropriate to implement Annex II and Annex V to the Protocol and the provisions of this chapter which implement those annexes, including section 2403(b)(2), (3), (4), and (5) of this title. The Director shall designate as native species—

(A) each species of the class Aves;

(B) each species of the class Mammalia; and

(C) each species of plant,

which is indigenous to Antarctica or which occurs there seasonally through natural migrations.

(2) The Director, with the concurrence of the Administrator, shall issue such regulations as are necessary and appropriate to implement Annex III to the Protocol and the provisions of

this chapter which implement that Annex, including section 2403(a)(1), (2), (3), and (4) of this title, and section 2403(b)(1) of this title.

(3) The Director shall issue such regulations as are necessary and appropriate to implement Article 15 of the Protocol with respect to land areas and ice shelves in Antarctica.

(4) The Director shall issue such additional regulations as are necessary and appropriate to implement the Protocol and this chapter, except as provided in subsection (b).

(b) Regulations to be issued by Secretary of Department in which Coast Guard is operating

The Secretary of the Department in which the Coast Guard is operating shall issue such regulations as are necessary and appropriate, in addition to regulations issued under the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.), to implement Annex IV to the Protocol and the provisions of this chapter which implement that Annex, and, with the concurrence of the Director, such regulations as are necessary and appropriate to implement Article 15 of the Protocol with respect to vessels.

(c) Time period for regulations

The regulations to be issued under subsection (a)(1) and (2) of this section shall be issued within 2 years after October 2, 1996. The regulations to be issued under subsection (a)(3) of this section shall be issued within 3 years after October 2, 1996.

(Pub. L. 95-541, § 6, Oct. 28, 1978, 92 Stat. 2053; Pub. L. 104-227, title I, § 106, Oct. 2, 1996, 110 Stat. 3041.)

REFERENCES IN TEXT

The Act to Prevent Pollution from Ships, referred to in subsec. (b), is Pub. L. 96-478, Oct. 21, 1980, 94 Stat. 2297, as amended, which is classified principally to chapter 33 (§ 1901 et seq.) of Title 33, Navigation and Navigable Waters. For complete classification of this Act to the Code, see Short Title note set out under section 1901 of Title 33 and Tables.

AMENDMENTS

1996—Pub. L. 104-227 reenacted section catchline without change and amended text generally. Prior to amendment, text consisted of subsec. (a) “In General” which related to requirement that Director prescribe regulations to implement this chapter and subsec. (b) “Specific Regulations” which related to required content of regulations.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 2406. Notification of travel to Antarctica

The Secretary of State shall prescribe such regulations as may be necessary and appropriate to implement, with respect to United States citizens, paragraph 5 of Article VII of the Treaty pertaining to the filing of advance notifications of expeditions to, and within, Antarctica. For