

(B) In preparing the plan referred to in subparagraph (A), the Secretary of Commerce shall take into account, in addition to any other matters the Secretary considers appropriate, the possibilities of securing productive results, the minimization of duplication, and the methods for monitoring and evaluating a project.

(C) The Secretary of Commerce shall submit to the Congress each year the plan required under subparagraph (A). That part of the plan covering fiscal years 1986 through 1988 shall be submitted not later than October 1, 1985. That part of the plan covering each 3-fiscal-year period thereafter shall be submitted not later than the February 1 occurring before the beginning of the first fiscal year covered by that part of the plan.

**(b) Consultation with other agencies**

In carrying out their functions under this section, the Secretary of State, the Secretary of Commerce, and the Director of the National Science Foundation shall consult, as appropriate, with the Marine Mammal Commission and with other departments and agencies of the United States.

**(c) Icebreaking**

The Department of Homeland Security shall facilitate planning for the design, procurement, maintenance, deployment, and operation of icebreakers needed to provide a platform for Antarctic research. All funds necessary to support icebreaking operations, except for recurring incremental costs associated with specific projects, shall be allocated to the United States Coast Guard.

(Pub. L. 98-623, title III, §312, Nov. 8, 1984, 98 Stat. 3405; Pub. L. 109-241, title IX, §902(h)(2), July 11, 2006, 120 Stat. 567.)

AMENDMENTS

2006—Subsec. (c). Pub. L. 109-241 substituted “of Homeland Security” for “of Transportation”.

**§ 2442. Relationship to existing treaties and statutes**

**(a) In general**

Nothing in this chapter<sup>1</sup> shall be construed as contravening or superseding (1) the provisions of any international treaty, convention, or agreement, if such treaty, convention or agreement is in force with respect to the United States on Nov. 8, 1984, or (2) the provisions of any statute which implements any such treaty, convention, or agreement. Nothing in this chapter shall be construed as contravening or superseding the provisions of any statute enacted before Nov. 8, 1984, which may otherwise apply to Antarctic marine living resources.

**(b) Application of more restrictive provisions**

Nothing in this section shall be construed to prevent the application of provisions of the Convention, conservation measures adopted by the Commission pursuant to article IX of the Convention, or regulations promulgated under this chapter, which are more restrictive than the provisions of, measures adopted under, or regu-

lations promulgated under, the treaties or statutes described in subsection (a).

(Pub. L. 98-623, title III, §313, Nov. 8, 1984, 98 Stat. 3406.)

CODIFICATION

This chapter, the first time it appears in subsec. (a), was in the original “this Act” and was translated as reading “this title”, as the probable intent of Congress.

**§ 2443. Authorization of appropriations**

There are authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary for carrying out the provisions of this chapter, including, but not limited to—

(1) necessary travel expenses of the United States representatives referred to in section 2433 of this title, alternate United States representatives, and authorized advisers and experts, in accordance with sections 5701 through 5708, 5731, and 5733 of title 5 and the regulations issued under those sections;

(2) the United States contribution to the budget of the Commission as provided in article XIX of the Convention; and

(3) the directed research program and the furnishing of facilities and personnel to the Commission referred to in section 2441 of this title.

(Pub. L. 98-623, title III, §314, Nov. 8, 1984, 98 Stat. 3406.)

**§ 2444. Severability**

If any provision of this chapter or the application of this chapter to any person or circumstance is held invalid, neither the remainder of this chapter nor the application of that provision to other persons or circumstances shall be affected thereby.

(Pub. L. 98-623, title III, §315, Nov. 8, 1984, 98 Stat. 3407.)

**CHAPTER 44B—ANTARCTIC MINERAL RESOURCES PROTECTION**

Sec.	
2461.	Findings and purpose.
2462.	Definitions.
2463.	Prohibition of Antarctic mineral resource activities.
2464.	Repealed.
2465.	Enforcement.
2466.	Repealed.

**§ 2461. Findings and purpose**

**(a) Findings**

Congress finds that—

(1) the Antarctic continent with its associated and dependent ecosystems is a distinctive environment providing a habitat for many unique species and offering a natural laboratory from which to monitor critical aspects of stratospheric ozone depletion and global climate change;

(2) Antarctica is protected by a series of international agreements, including the Antarctic Treaty and associated recommendations, the Convention on the Conservation of Antarctic Seals, and the Convention on the

<sup>1</sup> See Codification note below.