

CHAPTER 21—PROHIBITION OF FOREIGN FISHING VESSELS IN THE TERRITORIAL WATERS OF THE UNITED STATES

§§ 1081 to 1086. Repealed. Pub. L. 94-265, title IV, § 402(b), Apr. 13, 1976, 90 Stat. 360

Section 1081, Pub. L. 88-308, § 1, May 20, 1964, 78 Stat. 194; Pub. L. 90-427, July 26, 1968, 82 Stat. 445; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, dealt with prohibition against foreign fishing within the territorial waters of the United States and conditions under which exceptions to prohibition will be recognized. See sections 1821 to 1825 of this title.

Section 1082, Pub. L. 88-308, § 2, May 20, 1964, 78 Stat. 195; Pub. L. 91-514, § 1, Oct. 27, 1970, 84 Stat. 1296, covered violations and penalties, seizure, forfeiture, and condemnation of property belonging to anyone violating the provisions relating to the territorial waters of the United States. See sections 1857 to 1860 of this title.

Section 1083, Pub. L. 88-308, § 3, May 20, 1964, 78 Stat. 195; Pub. L. 90-578, title IV, § 402, Oct. 17, 1968, 82 Stat. 1118; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090; Pub. L. 91-514, § 2, Oct. 27, 1970, 84 Stat. 1297, related to enforcement responsibilities and joint responsibility of the Secretaries of Commerce, Treasury, and the department in which the Coast Guard is operating. See section 1861 of this title.

Section 1084, Pub. L. 88-308, § 4, May 20, 1964, 78 Stat. 196; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, covered authority of Secretaries of Commerce and Treasury to jointly or severally issue regulations under this chapter.

Section 1085, Pub. L. 88-308, § 5, May 20, 1964, 78 Stat. 196; Pub. L. 93-242, § 15, Jan. 2, 1974, 87 Stat. 1068, covered definitions of "Continental Shelf fishery resource", "fisheries", "Continental Shelf", and authorized Secretary of Commerce to enlarge list of covered organisms. See section 1802 of this title.

Section 1086, Pub. L. 88-308, § 6, as added Pub. L. 91-514, § 3, Oct. 27, 1970, 84 Stat. 1297, authorized Secretary of the Treasury to pay up to \$5,000 to an informer for original information concerning violations under this chapter.

EFFECTIVE DATE OF REPEAL

Section 402(b) of Pub. L. 94-265 provided that repeal of sections 1081 to 1086 of this title is effective Mar. 1, 1977.

CHAPTER 21A—FISHERIES ZONE CONTIGUOUS TO TERRITORIAL SEA OF THE UNITED STATES

§§ 1091 to 1094. Repealed. Pub. L. 94-265, title IV, § 402(a), Apr. 13, 1976, 90 Stat. 360

Sections, Pub. L. 89-658, §§ 1-4, Oct. 14, 1966, 80 Stat. 908, set out provisions authorizing the establishment of a fishery zone contiguous to the territorial sea of the United States. See section 1801 et seq. of this title.

EFFECTIVE DATE OF REPEAL

Section 402(a) of Pub. L. 94-265 provided that repeal of sections 1091 to 1094 of this title is effective Mar. 1, 1977.

CHAPTER 21B—PROHIBITION OF CERTAIN FOREIGN FISHING VESSELS IN UNITED STATES FISHERIES

§§ 1100 to 1100a-3. Omitted

CODIFICATION

Sections 1100 to 1100a-3 were omitted pursuant to section 1100 which prohibited certain activities during the five-year period beginning on Oct. 27, 1972.

Section 1100, Pub. L. 92-601, § 1, Oct. 27, 1972, 86 Stat. 1327, provided that during the five-year period beginning on October 27, 1972, it shall be unlawful for any

person on board any prohibited vessel to transfer at sea or cause to be transferred at sea any prohibited fish; or to land or cause to be landed any prohibited fish in any port of the United States.

Section 1100a, Pub. L. 92-601, § 2, Oct. 27, 1972, 86 Stat. 1327, prescribed penalties for violations of this chapter. Section 1100a-1, Pub. L. 92-601, § 3, Oct. 27, 1972, 86 Stat. 1327, provided for enforcement of this chapter.

Section 1100a-2, Pub. L. 92-601, § 4, Oct. 27, 1972, 86 Stat. 1328, authorized the issuance of regulations to implement this chapter.

Section 1100a-3, Pub. L. 92-601, § 5, Oct. 27, 1972, 86 Stat. 1328, provided definitions for this chapter.

CHAPTER 21C—OFFSHORE SHRIMP FISHERIES

§§ 1100b to 1100b-10. Omitted

CODIFICATION

Sections 1100b to 1100b-10 were omitted pursuant to section 13 of Pub. L. 93-242, Jan. 2, 1974, 87 Stat. 1068, as amended by Pub. L. 94-58, § 2, July 24, 1975, 89 Stat. 266, which provided that the provisions of this chapter would expire Sept. 30, 1977.

Section 1100b, Pub. L. 93-242, § 2, Jan. 2, 1974, 87 Stat. 1061; Pub. L. 94-58, § 3(a), July 24, 1975, 89 Stat. 266, provided definitions for this chapter.

Section 1100b-1, Pub. L. 93-242, § 3, Jan. 2, 1974, 87 Stat. 1063; Pub. L. 94-58, § 3(b), July 24, 1975, 89 Stat. 266, authorized the issuance of permits for vessels documented under the laws of the United States to engage in fishing.

Section 1100b-2, Pub. L. 93-242, § 4, Jan. 2, 1974, 87 Stat. 1064; Pub. L. 94-58, § 3(c), July 24, 1975, 89 Stat. 266, established procedures for applying for and granting permits.

Section 1100b-3, Pub. L. 93-242, § 5, Jan. 2, 1974, 87 Stat. 1065; Pub. L. 94-58, § 3(d), July 24, 1975, 89 Stat. 267, provided for issuance of letters of voluntary compliance.

Section 1100b-4, Pub. L. 93-242, § 6, Jan. 2, 1974, 87 Stat. 1065; Pub. L. 94-58, § 3(e), July 24, 1975, 89 Stat. 267, established the Offshore Shrimp Fisheries Fund.

Section 1100b-5, Pub. L. 93-242, § 7, Jan. 2, 1974, 87 Stat. 1065, established requirements for maintaining a logbook and providing the Secretary of Commerce with any other necessary information.

Section 1100b-6, Pub. L. 93-242, § 8, Jan. 2, 1974, 87 Stat. 1066; Pub. L. 94-58, § 3(f), July 24, 1975, 89 Stat. 267, detailed prohibited activities.

Section 1100b-7, Pub. L. 93-242, § 9, Jan. 2, 1974, 87 Stat. 1066; Pub. L. 94-58, § 3(g), July 24, 1975, 89 Stat. 267, prescribed penalties and procedures for violations of this chapter.

Section 1100b-8, Pub. L. 93-242, § 10, Jan. 2, 1974, 87 Stat. 1067, provided for enforcement of this chapter.

Section 1100b-9, Pub. L. 93-242, § 11, Jan. 2, 1974, 87 Stat. 1067, authorized the issuance of regulations to implement this chapter.

Section 1100b-10, Pub. L. 93-142, § 12, Jan. 2, 1974, 87 Stat. 1068, authorized appropriations for the enforcement of this chapter.

CHAPTER 22—INTERNATIONAL PARKS

Sec.	Definitions.
1101.	Joint United States-Canadian Commission;
1102.	establishment; functions.
1103.	Powers of Commission.
1104.	Membership of Commission.
1105.	Compensation.
1106.	Employees.
1107.	Meetings and reports; inspection of records.
1108.	Insurance.
1109.	Court action; service of process.
1110.	Liability.
1111.	Exemption from taxation.
1112.	Tax treatment of any gift, devise or bequest to the Commission.
1113.	Authorization of appropriations.

§ 1101. Definitions

For the purposes of this chapter:

(a) The term "Commission" means the Roosevelt Campobello International Park Commission.

(b) The term "United States members" means members of the Commission appointed by the President. The term "Canadian members" means members of the Commission appointed by the appropriate authorities in Canada.

(Pub. L. 88-363, § 2, July 7, 1964, 78 Stat. 299.)

SHORT TITLE

Section 1 of Pub. L. 88-363 provided: "That this Act [enacting this chapter] may be cited as the 'Roosevelt Campobello International Park Act'."

§ 1102. Joint United States-Canadian Commission; establishment; functions

There shall be established, in accordance with the agreement between the Governments of the United States and Canada, signed January 22, 1964, a joint United States-Canadian Commission, to be called the "Roosevelt Campobello International Park Commission," which shall have as its functions—

(a) to accept title from the Hammer family to the former Roosevelt estate comprising the Roosevelt home and other grounds on Campobello Island;

(b) to take the necessary measures to restore the Roosevelt home as closely as possible to its condition when it was occupied by President Franklin Delano Roosevelt;

(c) to administer as a memorial the Roosevelt Campobello International Park comprising the Roosevelt estate and such other lands as may be acquired.

(Pub. L. 88-363, § 3, July 7, 1964, 78 Stat. 299.)

§ 1103. Powers of Commission

The Commission shall have juridical personality and all powers and capacity necessary or appropriate for the purpose of performing its functions pursuant to the agreement between the Governments of the United States and Canada signed January 22, 1964, which shall include but not be limited to the power and capacity—

(a) to acquire property, both real and personal, or interests therein, by gift, including conditional gifts whether conditioned on the expenditure of funds to be met therefrom or not, by purchase, by lease or otherwise, and to hold or dispose of the same under such terms and conditions as it sees fit, excepting the power to dispose of the Roosevelt home and the tract of land on which it is located;

(b) to enter into contracts;

(c) to sue or be sued, complain and defend, implead and be impleaded, in any United States district court. In such suits, the Attorney General shall supervise and control the litigation;

(d) to appoint its own employees, including an executive secretary who shall act as secretary at meetings of the Commission and to fix the terms and conditions of their employment and compensation;

(e) to delegate to the executive secretary or other officials and to authorize the redelega-

tion of such authority respecting the employment and direction of its employees and the other responsibilities of the Commission as it deems desirable and appropriate;

(f) to adopt such rules of procedure as it deems desirable to enable it to perform the functions set forth in this agreement;

(g) to charge admission fees for entrance to the park should the Commission consider such fees desirable; however, such fees shall be set at a level which will make the facilities readily available to visitors; any revenues derived from admission fees or concession operations of the Commission shall be transmitted in equal shares to the two Governments within sixty days of the end of the Commission's fiscal year, the United States share to be turned over to the appropriate Federal agency for deposit into the United States Treasury in accordance with the laws governing entrance fees received by the National Park Service;

(h) to grant concessions; if deemed desirable;

(i) to adopt and use a seal;

(j) to obtain without reimbursement for use either in the United States or in Canada, legal, engineering, architectural, accounting, financial, maintenance, and other services, whether by assignment, detail, or otherwise, from competent agencies in the United States or in Canada, by arrangements with such agencies.

(Pub. L. 88-363, § 4, July 7, 1964, 78 Stat. 299.)

§ 1104. Membership of Commission**(a) Selection**

The Commission shall consist of six members, of whom three shall be the United States members and three shall be the Canadian members. The United States members shall be three persons appointed by the President, of whom one shall be selected from nominations which may be made by the Governor of the State of Maine. Alternates to United States members shall be appointed in the same manner as the members themselves. The United States members and their alternates shall hold office at the pleasure of the President. A vacancy among the United States members of the Commission or their alternates shall be filled in the same manner in which the original appointment was made. An alternate shall, in the absence of the member of the Commission for whom he is alternate, attend meetings of the Commission and act and vote in the place and instead of that member of the Commission.

(b) Chairman and Vice Chairman

The Commission shall elect a Chairman and a Vice Chairman from among its members, each of whom shall hold office for a term of two years. The post of Chairman shall be filled for alternate terms by a Canadian and by a United States member. The post of Vice Chairman shall be filled by a Canadian member if the post of Chairman is held by a United States member, and by a United States member if the post of Chairman is held by a Canadian member. In the event of a vacancy in the office of Chairman or Vice Chairman within the two-year term, the vacancy shall be filled for the remainder of the

term by special election in accordance with the foregoing requirements. The Vice Chairman shall act as Chairman in the absence of the Chairman.

(c) Quorum

Four members of the Commission shall constitute a quorum for the transaction of business, but the affirmative votes of at least two United States members, or their alternates, and at least two Canadian members, or their alternates, shall be required for any decision to be made by the Commission.

(Pub. L. 88-363, § 5, July 7, 1964, 78 Stat. 300.)

§ 1105. Compensation

No compensation will be attached to the position of United States members of the Commission. United States members or their alternates shall be reimbursed by the Commission for travel expenses in accordance with section 5703 of title 5 and the Standardized Government Travel Regulations.

(Pub. L. 88-363, § 6, July 7, 1964, 78 Stat. 300.)

CODIFICATION

“Section 5703 of title 5” substituted in text for “section 5 of the Administrative Expenses Act of 1946, as amended [5 U.S.C. 73b-2],” on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

§ 1106. Employees

The Commission may employ both United States and Canadian citizens.

(Pub. L. 88-363, § 7, July 7, 1964, 78 Stat. 300.)

§ 1107. Meetings and reports; inspection of records

The Commission shall hold at least one meeting every calendar year and shall submit an annual report to the United States and Canadian Governments on or before March 31 of each year, including a general statement of the operation for the previous year and the results of an independent audit of the financial operations of the Commission. The Commission shall permit inspection of its records by the accounting agencies of both the United States and Canadian Governments.

(Pub. L. 88-363, § 8, July 7, 1964, 78 Stat. 301.)

§ 1108. Insurance

The Commission shall maintain insurance in reasonable amounts, including, but not limited to, liability and property insurance. Such insurance may not cover the Commissioners or employees of the Commission except when sued by name for acts done in the scope of their employment.

(Pub. L. 88-363, § 9, July 7, 1964, 78 Stat. 301.)

§ 1109. Court action; service of process

In an action against the Commission instituted in a district court of the United States, service of the summons and of the complaint upon the Commission shall be made by deliver-

ing a copy thereof to the United States attorney for the district in which the action is brought, or to an assistant United States attorney, or to a clerical employee designated by the United States attorney to accept service in a writing filed with the clerk of the court, and by sending a copy of the summons and of the complaint to the Commission by registered or certified mail.

(Pub. L. 88-363, § 10, July 7, 1964, 78 Stat. 301.)

§ 1110. Liability

(a) United States

The United States Government shall not be liable for any act or omission of the Commission or of any person employed by, or assigned or detailed to, the Commission.

(b) Payment; exemption of property from attachment, execution, etc.

Any liability of the Commission shall be met from funds of the Commission to the extent that it is not covered by insurance, or otherwise. Property belonging to the Commission shall be exempt from attachment, execution, or other process for satisfaction of claims, debts, or judgments.

(c) Individual members of Commission

No liability of the Commission shall be imputed to any member of the Commission solely on the basis that he occupies the position of member of the Commission.

(Pub. L. 88-363, § 11, July 7, 1964, 78 Stat. 301.)

§ 1111. Exemption from taxation

The Commission shall not be subject to Federal, State, or municipal taxation in the United States on any real or personal property held by it or on any gift, bequest, or devise to it of any personal or real property, or on its income, whether from governmental appropriations, admission fees, concessions, or donations.

(Pub. L. 88-363, § 12, July 7, 1964, 78 Stat. 301.)

§ 1112. Tax treatment of any gift, devise or bequest to the Commission

For the purpose of Federal income, estate, and gift taxes, any gift, devise, or bequest to or for the use of the Commission, and accepted by the Commission under authority of this chapter, shall be deemed to be a gift, devise, or bequest to or for the use of the United States, as the case may be, if it is not deducted as a gift, devise, or bequest to or for the use of the Government of Canada under the income, estate, or gift tax laws of the Government of Canada.

(Pub. L. 88-363, § 13, July 7, 1964, 78 Stat. 301.)

§ 1113. Authorization of appropriations

There are hereby authorized to be appropriated to the Department of the Interior without fiscal year limitation such sums as may be necessary for the purposes of this chapter and the agreement with the Government of Canada signed January 22, 1964, article 11 of which provides that the Governments of the United States and Canada shall share equally the costs of developing and the annual cost of operating and

maintaining the Roosevelt Campobello International Park.

(Pub. L. 88-363, §14, July 7, 1964, 78 Stat. 301.)

CHAPTER 23—NATIONAL WILDERNESS PRESERVATION SYSTEM

Sec.

- 1131. National Wilderness Preservation System.
- 1132. Extent of System.
- 1133. Use of wilderness areas.
- 1134. State and private lands within wilderness areas.
- 1135. Gifts, bequests, and contributions.
- 1136. Annual reports to Congress.

§ 1131. National Wilderness Preservation System

(a) Establishment; Congressional declaration of policy; wilderness areas; administration for public use and enjoyment, protection, preservation, and gathering and dissemination of information; provisions for designation as wilderness areas

In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas within the United States and its possessions, leaving no lands designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the Congress to secure for the American people of present and future generations the benefits of an enduring resource of wilderness. For this purpose there is hereby established a National Wilderness Preservation System to be composed of federally owned areas designated by Congress as "wilderness areas", and these shall be administered for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness, and so as to provide for the protection of these areas, the preservation of their wilderness character, and for the gathering and dissemination of information regarding their use and enjoyment as wilderness; and no Federal lands shall be designated as "wilderness areas" except as provided for in this chapter or by a subsequent Act.

(b) Management of area included in System; appropriations

The inclusion of an area in the National Wilderness Preservation System notwithstanding, the area shall continue to be managed by the Department and agency having jurisdiction thereover immediately before its inclusion in the National Wilderness Preservation System unless otherwise provided by Act of Congress. No appropriation shall be available for the payment of expenses or salaries for the administration of the National Wilderness Preservation System as a separate unit nor shall any appropriations be available for additional personnel stated as being required solely for the purpose of managing or administering areas solely because they are included within the National Wilderness Preservation System.

(c) "Wilderness" defined

A wilderness, in contrast with those areas where man and his own works dominate the landscape, is hereby recognized as an area where

the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain. An area of wilderness is further defined to mean in this chapter an area of underdeveloped Federal land retaining its primeval character and influence, without permanent improvements or human habitation, which is protected and managed so as to preserve its natural conditions and which (1) generally appears to have been affected primarily by the forces of nature, with the imprint of man's work substantially unnoticeable; (2) has outstanding opportunities for solitude or a primitive and unconfined type of recreation; (3) has at least five thousand acres of land or is of sufficient size as to make practicable its preservation and use in an unimpaired condition; and (4) may also contain ecological, geological, or other features of scientific, educational, scenic, or historical value.

(Pub. L. 88-577, §2, Sept. 3, 1964, 78 Stat. 890.)

SHORT TITLE

Section 1 of Pub. L. 88-577 provided that: "This Act [enacting this chapter] may be cited as the 'Wilderness Act'."

§ 1132. Extent of System

(a) Designation of wilderness areas; filing of maps and descriptions with Congressional committees; correction of errors; public records; availability of records in regional offices

All areas within the national forests classified at least 30 days before September 3, 1964 by the Secretary of Agriculture or the Chief of the Forest Service as "wilderness", "wild", or "canoe" are hereby designated as wilderness areas. The Secretary of Agriculture shall—

(1) Within one year after September 3, 1964, file a map and legal description of each wilderness area with the Interior and Insular Affairs Committees of the United States Senate and the House of Representatives, and such descriptions shall have the same force and effect as if included in this chapter: *Provided, however*, That correction of clerical and typographical errors in such legal descriptions and maps may be made.

(2) Maintain, available to the public, records pertaining to said wilderness areas, including maps and legal descriptions, copies of regulations governing them, copies of public notices of, and reports submitted to Congress regarding pending additions, eliminations, or modifications. Maps, legal descriptions, and regulations pertaining to wilderness areas within their respective jurisdictions also shall be available to the public in the offices of regional foresters, national forest supervisors, and forest rangers.

(b) Review by Secretary of Agriculture of classifications as primitive areas; Presidential recommendations to Congress; approval of Congress; size of primitive areas; Gore Range-Eagles Nest Primitive Area, Colorado

The Secretary of Agriculture shall, within ten years after September 3, 1964, review, as to its suitability or unsuitability for preservation as wilderness, each area in the national forests