

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.)

#### Editorial Notes

##### 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 delivering 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.
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**§ 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 untrammeled 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 undeveloped 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