

plans, constructions, operation, and maintenance of the facilities referred to in paragraph (1);

(4) a method for review and adjustment of the formulas referred to in paragraph (3) at intervals of five years which recognizes that such initial formulas should not be used as a precedent in their subsequent review and adjustment; and

(5) dates for the beginning and completion of construction of the facilities referred to in paragraph (1).

(Pub. L. 100-465, § 2, Oct. 3, 1988, 102 Stat. 2272.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 100-465, § 1, Oct. 3, 1988, 102 Stat. 2272, provided that: “This Act [enacting this section and sections 277g-1 to 277g-3 of this title] may be cited as the ‘Rio Grande Pollution Correction Act of 1987’.”

§ 277g-1. Authority of Secretary of State to plan, construct, operate, and maintain facilities

The Secretary of State, acting through the Commissioner, is authorized to act jointly with the appropriate representative of the Government of Mexico and to—

- (1) supervise the planning of, and
- (2) supervise construction, operation, and maintenance of,

the facilities recommended in agreements concluded pursuant to section 277g of this title and approved by the Governments of the United States and Mexico.

(Pub. L. 100-465, § 3, Oct. 3, 1988, 102 Stat. 2272.)

§ 277g-2. Consultation with Administrator of Environmental Protection Agency and other authorities

The Secretary of State shall consult with the Administrator of the Environmental Protection Agency and other concerned Federal, State, and local government officials in implementing sections 277g to 277g-3 of this title.

(Pub. L. 100-465, § 4, Oct. 3, 1988, 102 Stat. 2273.)

§ 277g-3. Authorization of appropriations

There is authorized to be appropriated such sums as may be necessary for the United States to fund its share of the cost of the plans, construction, operation, and maintenance of the facilities recommended in agreements concluded pursuant to section 277g of this title and approved by the Governments of the United States and Mexico.

(Pub. L. 100-465, § 5, Oct. 3, 1988, 102 Stat. 2273.)

§ 277h. Authority of the International Boundary and Water Commission to assist State and local governments

(a) Authority

The Commissioner of the United States section of the International Boundary and Water Commission may provide technical tests, evaluations, information, surveys, or others¹ similar

services to State or local governments upon the request of such State or local government on a reimbursable basis.

(b) Reimbursements

Reimbursements shall be paid in advance of the goods or services ordered and shall be for the estimated or actual cost as determined by the United States section of the International Boundary and Water Commission. Proper adjustment of amounts paid in advance shall be made as determined by the United States section of the International Boundary and Water Commission on the basis of the actual cost of goods or services provided. Reimbursements received by the United States section of the International Boundary and Water Commission for providing services under this section shall be credited to the appropriation from which the cost of providing the services is charged.

(Pub. L. 106-113, div. B, § 1000(a)(7) [div. A, title VII, § 702], Nov. 29, 1999, 113 Stat. 1536, 1501A-459.)

§ 277i. Report on water sharing

Not later than 120 days after February 7, 2014, and annually thereafter, the Secretary of State shall submit to Congress a report on efforts by Mexico to meet its treaty deliveries of water to the Rio Grande in accordance with the Treaty between the United States and Mexico Respecting Utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande (done at Washington, February 3, 1944).

(Pub. L. 113-79, title XII, § 12310, Feb. 7, 2014, 128 Stat. 991.)

§ 277j. Management of international transboundary water pollution

In fiscal year 2023 and in each fiscal year thereafter—

(a) The Administrator of the Environmental Protection Agency (the “Administrator”) may transfer amounts made available under the heading “Environmental Protection Agency—State and Tribal Assistance Grants” in the USMCA Supplemental Appropriations Act, 2019 (title IX of Public Law 116-113) to the International Boundary and Water Commission, United States and Mexico (the “Commission”), by entering into an interagency agreement or by awarding a grant, to support the construction of treatment works (as that term is defined in section 1292(2) of title 33), that will be owned or operated by the Commission: *Provided*, That the Commission shall, in consultation with the Administrator and subject to the requirements of sections 1372 and 1388 of title 33, use amounts transferred pursuant to this section for general, administrative, or other costs (including construction management) related to the planning, study, design, and construction, of treatment works that, as determined by the Commissioner of the Commission, will—

(1) protect residents in the United States-Mexico border region from water pollution resulting from—

(A) transboundary flows of wastewater, stormwater, or other international transboundary water flows originating in Mexico; and

¹ So in original. Probably should be “other”.