

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”.

(B) any inadequacies or breakdowns of treatment works in Mexico; and

(2) provide treatment of the flows and water pollution described in subparagraph (A) in compliance with local, State, and Federal law: *Provided*, That the Commission may also use amounts transferred pursuant to this section to operate and maintain any new treatment work constructed, which shall be in addition to any amounts otherwise available to the Commission for such purposes.

(b) The Commission is authorized to enter into an agreement with the appropriate official or officials of the United States and Mexican States for the operation and maintenance by the Commission of any new treatment works, pursuant to subsection (a): *Provided*, That such agreement shall contain a provision relating to the division between the two Governments of the costs of such operation and maintenance, or of the works involved there as may be recommended by said Commission and approved by the Government of Mexico.

(c) Nothing in this section modifies, amends, repeals, or otherwise limits the authority of the Commission under—

(1) the treaty relating to the utilization of the waters of the Colorado and Tijuana Rivers, and of the Rio Grande (Rio Bravo) from Fort Quitman, Texas, to the Gulf of Mexico, and supplementary protocol, signed at Washington February 3, 1944 (59 Stat. 1219), between the United States and Mexico; or

(2) any other applicable treaty.

(d) Funds transferred pursuant to subsection (a) shall be subject to the regular notification procedures of the Committees on Appropriations.

(e) Amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 or a concurrent resolution on the budget are designated as an emergency requirement pursuant to section 4001(a)(1) of S. Con. Res. 14 (117th Congress), the concurrent resolution on the budget for fiscal year 2022, and section 1(e) of H. Res. 1151 (117th Congress), as engrossed in the House of Representatives on June 8, 2022.

(Pub. L. 117-328, div. K, title VII, § 7069, Dec. 29, 2022, 136 Stat. 5089.)

Editorial Notes

REFERENCES IN TEXT

The USMCA Supplemental Appropriations Act, 2019, referred to in subsec. (a), is title IX of Pub. L. 116-113, Jan. 29, 2020, 134 Stat. 98, which is not classified to the Code. The heading “Environmental Protection Agency—State and Tribal Assistance Grants” appears at 134 Stat. 100.

The Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsec. (e), is title II of Pub. L. 99-177, Dec. 12, 1985, 99 Stat. 1038, which enacted chapter 20 (§ 900 et seq.) and sections 654 to 656 of Title 2, The Congress, amended sections 602, 622, 631 to 642, and 651 to 653 of Title 2, sections 1104 to 1106, and 1109 of Title 31, Money and Finance, and section 911 of Title 42, The Public Health and Welfare, repealed section 661

of Title 2, enacted provisions set out as notes under section 900 of Title 2 and section 911 of Title 42, and amended provisions set out as a note under section 621 of Title 2. For complete classification of this Act to the Code, see Short Title note set out under section 900 of Title 2 and Tables.

Section 4001(a)(1) of S. Con. Res. 14 (117th Congress) and section 1(e) of H. Res. 1151 (117th Congress), referred to in subsec. (e), relate to emergency requirements for new budget authority in the Senate and House of Representatives and are not classified to the Code.

SUBCHAPTER V—GORGAS MEMORIAL LABORATORY

§ 278. Gorgas Memorial Laboratory; location; acceptance of funds from Latin American countries or other sources

There is hereby authorized to be permanently appropriated for each year, out of any money in the Treasury not otherwise appropriated, the sum of not to exceed \$2,000,000 to be paid to the Gorgas Memorial Institute of Tropical and Preventive Medicine, Incorporated (hereinafter referred to as the Gorgas Memorial Institute), for the maintenance and operation by its, of a laboratory to be known as the Gorgas Memorial Laboratory, upon condition (1) that the necessary building or quarters for said laboratory shall be constructed within the five years next ensuing after this subchapter shall become a law, either upon the site offered by the Republic of Panama therefor, at, or adjacent to, the city of Panama, or upon a site in the Canal Zone to be provided by the United States; and (2) that the said Gorgas Memorial Institute be, and it is, authorized within its discretion, henceforth to accept from any of the Latin American Governments, or from any other sources, any funds which may be offered or given for the use of the Gorgas Memorial Institute for the maintenance and operation of the Gorgas Memorial Laboratory, and for carrying on the work of said Laboratory wherever deemed by the said Institute to be necessary or desirable.

(May 7, 1928, ch. 505, § 1, 45 Stat. 491; July 1, 1948, ch. 787, 62 Stat. 1213; Apr. 19, 1954, ch. 160, 68 Stat. 57; Pub. L. 86-296, § 1, Sept. 21, 1959, 73 Stat. 572; Pub. L. 89-181, Sept. 11, 1965, 79 Stat. 679; Pub. L. 93-559, § 47, Dec. 30, 1974, 88 Stat. 1816.)

Editorial Notes

REFERENCES IN TEXT

For definition of Canal Zone, referred to in text, see section 3602(b) of this title.

AMENDMENTS

1974—Pub. L. 93-559 substituted “\$2,000,000” for “\$500,000”.

1965—Pub. L. 89-181 substituted “not to exceed \$500,000” for “\$250,000”.

1959—Pub. L. 86-296 substituted “\$250,000” for “\$150,000”.

1954—Act Apr. 19, 1954, provided that donations for maintenance of the Laboratory may be accepted from Latin American countries and from other sources, in lieu of provisions which required that such countries be invited to contribute, and struck out provisions that such countries be represented on the board or council directing the administration of such Laboratory in proportion to the amount of their contributions.

1948—Act July 1, 1948, substituted “\$150,000” for “\$50,000”.