

(1) demonstrate how projects and financing approved by the Bank are meeting the Bank's mission and providing added value to the region near the international land border between the United States and Mexico; and

(2) are reviewed and updated not less frequently than annually.

(b) Report to Congress

The Secretary of the Treasury shall submit to Congress, with the submission to Congress of the budget of the President for a fiscal year under section 1105(a) of title 31, a report on progress in imposing the performance measures described in subsection (a) of this section.

(Pub. L. 116–113, title VIII, § 834, Jan. 29, 2020, 134 Stat. 97.)

Editorial Notes

CODIFICATION

Section was enacted as part of the United States-Mexico-Canada Agreement Implementation Act, and not as part of part 2 of subtitle D of title V of the North American Free Trade Agreement Implementation Act, Pub. L. 103–182, which enacted this subchapter.

Statutory Notes and Related Subsidiaries

POLICY GOALS

Pub. L. 116–113, title VIII, § 832, Jan. 29, 2020, 134 Stat. 97, provided that:

“(a) IN GENERAL.—To the extent consistent with the mission and scope of the North American Development Bank on the day before the date of the enactment of this Act [Jan. 29, 2020] and pursuant to section 2 of article II of the Charter, the Secretary of the Treasury should direct the representatives of the United States to the Board of Directors of the Bank to use the voice and vote of the United States to give preference to the financing of projects related to environmental infrastructure relating to water pollution, wastewater treatment, water conservation, municipal solid waste, stormwater drainage, non-point pollution, and related matters.

“(b) CHARTER DEFINED.—In this section, the term ‘Charter’ means the Agreement Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank, signed at Washington and Mexico November 16 and 18, 1993, and entered into force January 1, 1994 (TIAS 12516), between the United States and Mexico.”

EFFICIENCIES AND STREAMLINING

Pub. L. 116–113, title VIII, § 833, Jan. 29, 2020, 134 Stat. 97, provided that: “The Secretary of the Treasury should direct the representatives of the United States to the Board of Directors of the North American Development Bank to use the voice and vote of the United States to seek to require the Bank to develop and implement efficiency improvements to streamline and accelerate the project certification and financing process, including through initiatives such as single certifications for revolving facilities, programmatic certification of similar groups of small projects, expansion of internal authority to approve qualified projects below certain monetary thresholds, and expedited certification for public sector projects subject to lender bidding processes.”

SUBCHAPTER XXIX—UNITED STATES-MEXICO BORDER HEALTH COMMISSION

§ 290n. Appointment of members of Border Health Commission

Not later than 30 days after November 29, 1999, the President shall appoint the United States

members of the United States-Mexico Border Health Commission, and shall attempt to conclude an agreement with Mexico providing for the establishment of such Commission.

(Pub. L. 103–400, § 2, as added Pub. L. 106–113, div. B, § 1000(a)(4) [title V, § 516(1)], Nov. 29, 1999, 113 Stat. 1535, 1501A–276.)

Editorial Notes

PRIOR PROVISIONS

A prior section 290n, Pub. L. 103–400, § 2, Oct. 22, 1994, 108 Stat. 4169, related to the establishment of the Border Health Commission, prior to repeal by Pub. L. 106–113, div. B, § 1000(a)(4) [title V, § 516(1)], Nov. 29, 1999, 113 Stat. 1535, 1501A–276.

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 103–400, § 1, Oct. 22, 1994, 108 Stat. 4169, provided that: “This Act [enacting this subchapter] may be cited as the ‘United States-Mexico Border Health Commission Act’.”

§ 290n–1. Duties

It should be the duty of the Commission—

(1) to conduct a comprehensive needs assessment in the United States-Mexico Border Area for the purposes of identifying, evaluating, preventing, and resolving health problems and potential health problems that affect the general population of the area; and

(2) to implement the actions recommended by the needs assessment through—

(A) assisting in the coordination and implementation of the efforts of public and private entities to prevent and resolve such health problems, and

(B) assisting in the coordination and implementation of efforts of public and private entities to educate such population, in a culturally competent manner, concerning such health problems.

(Pub. L. 103–400, § 3, Oct. 22, 1994, 108 Stat. 4169; Pub. L. 106–113, div. B, § 1000(a)(4) [title V, § 516(2)], Nov. 29, 1999, 113 Stat. 1535, 1501A–276.)

Editorial Notes

AMENDMENTS

1999—Par. (1). Pub. L. 106–113, § 1000(a)(4) [title V, § 516(2)(A)], substituted “; and” for semicolon at end.

Par. (2)(B). Pub. L. 106–113, § 1000(a)(4) [title V, § 516(2)(B)], substituted period for “; and” at end.

Par. (3). Pub. L. 106–113, § 1000(a)(4) [title V, § 516(2)(C)], struck out par. (3) which read as follows: “to formulate recommendations to the Governments of the United States and Mexico concerning a fair and reasonable method by which the government of one country could reimburse a public or private entity in the other country for the cost of a health care service that the entity furnishes to a citizen of the first country who is unable, through insurance or otherwise, to pay for the service.”

§ 290n–2. Other authorized functions

In addition to the duties described in section 290n–1 of this title, the Commission should be authorized to perform the following functions as the Commission determines to be appropriate—

(1) to conduct or support investigations, research, or studies designed to identify, study,

and monitor, on an on-going basis, health problems that affect the general population in the United States-Mexico Border Area;

(2) to conduct or support a binational, public-private effort to establish a comprehensive and coordinated system, which uses advanced technologies to the maximum extent possible, for gathering health-related data and monitoring health problems in the United States-Mexico Border Area; and

(3) to provide financial, technical, or administrative assistance to public or private nonprofit entities who act to prevent or resolve such problems or who educate the population concerning such health problems.

(Pub. L. 103-400, § 4, Oct. 22, 1994, 108 Stat. 4169.)

§ 290n-3. Membership

(a) Number and appointment of United States section

The United States section of the Commission should be composed of 13 members. The section should consist of the following members:

(1) The Secretary of Health and Human Services or the Secretary's delegate.

(2) The commissioners of health or chief health officer from the States of Texas, New Mexico, Arizona, and California or such commissioners' delegates.

(3) Two individuals residing in United States-Mexico Border Area in each of the States of Texas, New Mexico, Arizona, and California who are nominated by the chief executive officer of the respective States and appointed by the President from among individuals who have demonstrated ties to community-based organizations and have demonstrated interest and expertise in health issues of the United States-Mexico Border Area.

(b) Commissioner

The Commissioner of the United States section of the Commission should be the Secretary of Health and Human Services or such individual's delegate to the Commission. The Commissioner should be the leader of the section.

(c) Compensation

Members of the United States section of the Commission who are not employees of the United States or any State—

(1) shall each receive compensation at a rate of not to exceed the daily equivalent of the annual rate of basic pay payable for positions at GS-15 of the General Schedule under section 5332 of title 5 for each day such member is engaged in the actual performance of the duties of the Commission; and

(2) shall be allowed travel expenses, including per diem in lieu of subsistence at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, while away from their homes or regular places of business in the performance of services of the Commission.

(Pub. L. 103-400, § 5, Oct. 22, 1994, 108 Stat. 4170.)

§ 290n-4. Regional offices

The Commission may designate or establish one border health office in each of the States of

Texas, New Mexico, Arizona, and California. Such office should be located within the United States-Mexico Border Area, and should be coordinated with—

(1) State border health offices; and

(2) local nonprofit organizations designated by the State's chief executive officer and directly involved in border health issues.

If feasible to avoid duplicative efforts, the Commission offices should be located in existing State or local nonprofit offices. The Commission should provide adequate compensation for cooperative efforts and resources.

(Pub. L. 103-400, § 6, Oct. 22, 1994, 108 Stat. 4170.)

§ 290n-5. Reports

Not later than February 1 of each year that occurs more than 1 year after the date of the establishment of the Commission, the Commission should submit an annual report to both the United States Government and the Government of Mexico regarding all activities of the Commission during the preceding calendar year.

(Pub. L. 103-400, § 7, Oct. 22, 1994, 108 Stat. 4171.)

§ 290n-6. Definitions

As used in this subchapter:

(1) Commission

The term “Commission” means the United States-Mexico Border Health Commission.

(2) Health problem

The term “health problem” means a disease or medical ailment or an environmental condition that poses the risk of disease or medical ailment. The term includes diseases, ailments, or risks of disease or ailment caused by or related to environmental factors, control of animals and rabies, control of insect and rodent vectors, disposal of solid and hazardous waste, and control and monitoring of air quality.

(3) Secretary

The term “Secretary” means the Secretary of Health and Human Services.

(4) United States-Mexico Border Area

The term “United States-Mexico Border Area” means the area located in the United States and Mexico within 100 kilometers of the border between the United States and Mexico.

(Pub. L. 103-400, § 8, Oct. 22, 1994, 108 Stat. 4171.)

SUBCHAPTER XXX—MIDDLE EAST DEVELOPMENT BANK

§ 290o. Acceptance of membership

The President is hereby authorized to accept membership for the United States in the Bank for Economic Cooperation and Development in the Middle East and North Africa (in this subchapter referred to as the “Bank”) provided for by the agreement establishing the Bank (in this subchapter referred to as the “Agreement”), signed on May 31, 1996.

(Pub. L. 104-208, div. A, title I, § 101(c) [title VII, § 702], Sept. 30, 1996, 110 Stat. 3009-121, 3009-179.)