

subject to (1) the approval of the proper authorities in the foreign country concerned; (2) the provisions of sections 491 to 494 and 495 to 498 of this title, except section 496 of this title, whether or not such bridge is to be built across or over any of the navigable waters of the United States; and (3) of the provisions of this subchapter.

(Pub. L. 92-434, §2, Sept. 26, 1972, 86 Stat. 731.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 92-434, §1, Sept. 26, 1972, 86 Stat. 731, provided: “That this Act [enacting this subchapter and amending section 129 of Title 23, Highways] may be cited as the ‘International Bridge Act of 1972.’”

§ 535a. Congressional consent to State agreements with Canada and Mexico; Secretary of State’s approval of agreements

The consent of Congress is hereby granted for a State or a subdivision or instrumentality thereof to enter into agreements—

- (1) with the Government of Canada, a Canadian Province, or a subdivision or instrumentality of either, in the case of a bridge connecting the United States and Canada, or
- (2) with the Government of Mexico, a Mexican State, or a subdivision or instrumentality of either, in the case of a bridge connecting the United States and Mexico,

for the construction, operation, and maintenance of such bridge in accordance with the applicable provisions of this subchapter. The effectiveness of such agreement shall be conditioned on its approval by the Secretary of State.

(Pub. L. 92-434, §3, Sept. 26, 1972, 86 Stat. 731.)

§ 535b. Presidential approval; recommendations of Federal officials

No bridge may be constructed, maintained, and operated as provided in section 535 of this title unless the President has given his approval thereto. In the course of determining whether to grant such approval, the President shall secure the advice and recommendations of (1) the United States section of the International Boundary and Water Commission, United States and Mexico, in the case of a bridge connecting the United States and Mexico, and (2) the heads of such departments and agencies of the Federal Government as he deems appropriate to determine the necessity for such bridge.

(Pub. L. 92-434, §4, Sept. 26, 1972, 86 Stat. 731.)

§ 535c. Approval of Secretary; commencement and completion requirements; extension of time limits

The approval of the Secretary of the department in which the Coast Guard is operating, as required by section 491 of this title, shall be given only subsequent to the President’s approval, as provided for in section 535b of this title, and shall be null and void unless the construction of the bridge is commenced within two years and completed within five years from the date of the Secretary’s approval: *Provided, however*, That the Secretary, for good cause shown,

may extend for a reasonable time either or both of the time limits herein provided.

(Pub. L. 92-434, §5, Sept. 26, 1972, 86 Stat. 732; Pub. L. 114-120, title III, §306(b)(6)(A), Feb. 8, 2016, 130 Stat. 56.)

Editorial Notes

AMENDMENTS

2016—Pub. L. 114-120 substituted “Secretary of the department in which the Coast Guard is operating” for “Secretary of Transportation”.

§ 535d. Permitting for international bridges

(a) Definitions

In this section:

(1) Eligible applicant

The term “eligible applicant” means an entity that has submitted an application for a Presidential permit during the period beginning on December 1, 2020, and ending on December 31, 2024, for any of the following:

- (A) 1 or more international bridges in Webb County, Texas.
- (B) An international bridge in Cameron County, Texas.
- (C) An international bridge in Maverick County, Texas.

(2) Presidential permit

(A) In general

The term “Presidential permit” means—

- (i) an approval by the President to construct, maintain, and operate an international bridge under section 535b of this title; or
- (ii) an approval by the President to construct, maintain, and operate an international bridge pursuant to a process described in Executive Order 13867 (84 Fed. Reg. 15491; relating to Issuance of Permits With Respect to Facilities and Land Transportation Crossings at the International Boundaries of the United States) (or any successor Executive Order).

(B) Inclusion

The term “Presidential permit” includes an amendment to an approval described in clause (i) or (ii) of subparagraph (A).

(3) Secretary

The term “Secretary” means the Secretary of State.

(b) Application

An eligible applicant for a Presidential permit to construct, maintain, and operate an international bridge shall submit an application for the permit to the Secretary.

(c) Recommendation

(1) In general

Not later than 60 days after the date on which the Secretary receives an application under subsection (b), the Secretary shall make a recommendation to the President—

- (A) to grant the Presidential permit; or
- (B) to deny the Presidential permit.

(2) Consideration

The basis for a recommendation under paragraph (1) shall be whether the international