donation, any real or personal property which may be necessary; (c) to withdraw from sale, public entry or disposal of such public lands of the United States as he may find to be necessary and thereupon the Secretary of the Interior shall cause the lands so designated to be withdrawn from any public entry whatsoever, and from sale, disposal, location or settlement under the mining laws or any other law relating to the public domain and shall cause such withdrawal to appear upon the records in the appropriate land office having jurisdiction over such lands, and such lands may be used for carrying out the purposes of sections 277 to 277d of this title: *Provided*, That any such withdrawal may subsequently be revoked by the President; and (d) to make or approve all necessary rules and regulations.

(May 13, 1924, ch. 153, § 4, as added Aug. 19, 1935, ch. 561, 49 Stat. 660; amended May 22, 1936, ch. 447, 49 Stat. 1370.)

REPEALS

*Clause (c), except the proviso thereof, repealed by Pub. L. 94–579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792, effective on and after Oct. 21, 1976.*

REFERENCES IN TEXT

The mining laws, referred to in cl. (c), are classified generally to Title 30, Mineral Lands and Mining.

AMENDMENTS

1936—Act May 22, 1936, inserted ''paragraph (2) of section 277a''.

SAVINGS PROVISION

Repeal of cl. (c), except the proviso thereof, by Pub. L. 94–579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792, not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see note set out under section 1701 of Title 43, Public Lands.

### § 277d. Funds received from Mexico; expenditure

Any moneys contributed by or received from the United Mexican States, the North American Development Bank, or the Border Environment Cooperation Commission for the purpose of cooperating or assisting in carrying out the provisions of sections 277 to 277d of this title shall be available for expenditure in connection with any appropriation which may be made for the purposes of such sections.

(May 13, 1924, ch. 153, § 5, as added Aug. 19, 1935, ch. 561, 49 Stat. 660; amended Pub. L. 107–228, div. A, title II, § 210, Sept. 30, 2002, 116 Stat. 1365.)

AMENDMENTS

2002—Pub. L. 107–228 inserted '', the North American Development Bank, or the Border Environment Cooperation Commission'' after ''United Mexican States''.

### § 277d–1. Authorizations for Mexican treaty projects; acquisition of lands for relocation purposes; contracts and conveyances

The Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico (herein referred to as the ''Commission''), in connection with any project under the jurisdiction of the United States Section, International Boundary and Water Commission, United States and Mexico, is authorized: (a) to purchase, or condemn, lands, or interests in lands, for relocation of highways, roadways, railroads, telegraph, telephone, or electric transmission lines, or any other properties whatsoever, the relocation of which, in the judgment of the said Commissioner, is necessitated by the construction or operation and maintenance of any such project, and to perform any or all work involved in said relocations on said lands, or interests in lands, other lands, or interests in lands, owned and held by the United States in connection with the construction or operation and maintenance of any such project, or properties not owned by the United States; (b) to enter into contracts with the owners of the said properties whereby they undertake to acquire any, or all, property needed for said relocation, or to perform any, or all, work involved in said relocations; and (c) for the purpose of effecting completely said relocations, to convey, or exchange Government properties acquired or improved under clause (a) of this section, with or without improvements, or other properties owned and held by the United States in connection with the construction or operation and maintenance of said project, or to grant term or perpetual easements therein or thereover. Grants or conveyances hereunder shall be by instruments executed by the Secretary of State without regard to provisions of law governing the patenting of public lands.

(Sept. 13, 1950, ch. 948, title I, § 101, 64 Stat. 846.)

SHORT TITLE

Section 1 of act Sept. 13, 1950, provided that: ''This Act [enacting this section and sections 277d–2 to 277d–9 of this title] may be cited as the 'American-Mexican Treaty Act of 1950'.''

### § 277d–2. Construction and maintenance of roads, highways, etc.; housing and other facilities for personnel

The United States Commissioner is authorized to construct, equip, and operate and maintain all access roads, highways, railways, power lines, buildings, and facilities necessary in connection with any such project, and in his discretion to provide housing, subsistence, and medical and recreational facilities for the officers, agents, and employees of the United States, and/or for the contractors and their employees engaged in the construction, operation, and maintenance of any such project, and to make equitable charges therefor, or deductions from the salaries and wages due employees, or from progress payments due contractors, upon such terms and conditions as he may determine to be to the best interest of the United States, the sums of money so charged and collected or deducted to be credited to the appropriation for the project current at the time the obligations are incurred.

(Sept. 13, 1950, ch. 948, title I, § 102, 64 Stat. 846.)

### § 277d–3. Authorization for appropriations; activities for which available; contracts for excess amounts

There are authorized to be appropriated to the Department of State for the use of the Commis-

sion, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of the Treaty of February 3, 1944, and other treaties and conventions between the United States of America and the United Mexican States, under which the United States Section operates, and to discharge the statutory functions and duties of the United States Section. Such sums shall be available for construction, operation and maintenance of stream gaging stations, and their equipment and sites therefor; personal services and rent in the District of Columbia and elsewhere; services, including those of attorneys and appraisers, in accordance with the provisions of section 3109 of title 5, at rates for individuals not in excess of the maximum daily rate for grade GS–15 of the General Schedule and the United States Commissioner is authorized, notwithstanding the provisions of any other Act, to employ as consultants by contract or otherwise without regard to chapter 51 and subchapter III of chapter 53 of title 5, and the civil-service laws and regulations, retired personnel of the Armed Forces of the United States, who shall not be required to revert to an active status; travel expense, including, in the discretion of the Commissioner, expenses of attendance at meetings of organizations concerned with the activities of the Commission which may be necessary for the efficient discharge of the responsibilities of the Commission; hire, with or without personal services, of work animals, and animal-drawn, and motor-propelled (including passenger) vehicles and aircraft and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts, certificates of title, and recording fees; purchase of ice and drinking water; inspection of equipment, supplies and materials by contract or otherwise; drilling and testing of foundations and dam sites, by contract if deemed necessary; payment for official telephone service in the field in case of official telephones installed in private houses when authorized under regulations established by the Commissioner; purchase of firearms and ammunition for guard purposes; official entertainment and other representation expenses within the United States for the United States section; and such other objects and purposes as may be permitted by laws applicable, in whole or in part, to the United States Section: *Provided*, That, when appropriations have been made for the commencement or continuation of construction or operation and maintenance of any such project, the United States Commissioner, notwithstanding the provisions of sections 1341, 1342, and 1349 to 1351 and subchapter II of chapter 15 of title 31, and sections 11 and 12 of title 41, or any other law, may enter into contracts beyond the amount actually appropriated for so much of the work on any such authorized project as the physical and orderly sequence of construction makes necessary, such contracts to be subject to and dependent upon future appropriations by Congress: *Provided further*, That the United States Commissioner shall prepare, within 30 days after the end of each fiscal year, a report of all expenditures during that year for official entertainment and other representation expenses, which shall be available for public inspection.

(Sept. 13, 1950, ch. 948, title I, § 103, 64 Stat. 847; Pub. L. 88–448, title IV, § 402(a)(29), Aug. 19, 1964, 78 Stat. 494; Pub. L. 95–105, title V, § 514(c), Aug. 17, 1977, 91 Stat. 862; Pub. L. 102–138, title I, § 165, Oct. 28, 1991, 105 Stat. 676.)

REFERENCES IN TEXT

Grade GS–15, referred to in text, is contained in the General Schedule which is set out under section 5332 of Title 5, Government Organization and Employees.

The civil service laws, referred to in text, are set out in Title 5. See, particularly, section 3301 et seq. of Title 5.

CODIFICATION

''Section 3109 of title 5'' and ''chapter 51 and subchapter III of chapter 53 of title 5'' substituted in text for ''section 15 of the Act of August 2, 1946 (5 U.S.C. sec. 55a)'' and ''the Classification Act of 1949, as amended'', respectively, 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.

''Sections 1341, 1342, and 1349 to 1351 and subchapter II of chapter 15 of title 31'' substituted in text for reference to section 3679 of the Revised Statutes [31 U.S.C. 665] on authority of Pub. L. 97–258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

1991—Pub. L. 102–138 inserted ''official entertainment and other representation expenses within the United States for the United States section;'' after ''guard purposes;'' and concluding provision that the United States Commissioner prepare, within 30 days after the end of each fiscal year, a report of all expenditures during that year for official entertainment and other representation expenses, with such report to be available for public inspection.

1977—Pub. L. 95–105 substituted ''the maximum daily rate for grade GS–15 of the General Schedule'' for ''$100 per diem''.

1964—Pub. L. 88–448 struck out provisions which permitted retired personnel of the Armed Forces of the United States employed by the Commission to receive as compensation for temporary service, the difference between the rates of pay established therefor and their retired pay during the period or periods of their temporary employment.

EFFECTIVE DATE OF 1977 AMENDMENT

Section 514(d) of Pub. L. 95–105 provided that: ''The amendments made by this section [amending this section and sections 277d–28 and 277d–31 of this title] shall take effect on October 1, 1977.''

### § 277d–4. Acquisition of properties of Imperial Irrigation District of California

The United States Commissioner, in order to comply with the provisions of articles 12 and 23 of the treaty of February 3, 1944, between the United States and Mexico, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande below Fort Quitman, Texas, is authorized to acquire, in the name of the United States, by purchase or by proceedings in eminent domain, the physical properties owned by the Imperial Irrigation District of California, located in the vicinity of Andrade, California, consisting of the Alamo Canal in the United States, the Rockwood Intake, the Hanlon Heading, the quarry, buildings used in connection with such facilities, and appurtenant lands, and to reconstruct, operate and maintain such properties in connection with the administration of said treaty.