Colorado River in the United States under the jurisdiction of the Secretary. The measures contemplated herein are for the purpose of controlling floods on the lower Colorado River in accordance with article 13 of the 1944 Water Treaty with Mexico, and accomplishment thereof by the International Boundary and Water Commission, United States Section, would be in accord with the Memorandum of Understanding ''as to Functions and Jurisdiction of Agencies of the United States in Relation to the Colorado and Tijuana Rivers and the Rio Grande Below Fort Quitman, Texas, Under Water Treaty Signed at Washington, February 3, 1944,'' between the Department of State and the United States Section, International Boundary and Water Commission and the Department of the Interior dated February 14, 1945.

(Pub. L. 88–411, § 1, Aug. 10, 1964, 78 Stat. 386.)

§ 277d–27. Execution of agreements

The United States Commissioner, International Boundary and Water Commission, United States and Mexico, is authorized to carry out those measures agreed upon for execution by the United States in the agreements concluded pursuant to section 277d–26 of this title.

(Pub. L. 88–411, § 2, Aug. 10, 1964, 78 Stat. 386.)

§ 277d–28. Authorization of appropriations

There is authorized to be appropriated to the Department of State for use of the United States Section, International Boundary and Water Commission, United States and Mexico, not in excess of $300,000 for the initial cost of the work authorized in sections 277d–26 to 277d–28 of this title, and not to exceed $30,000 based on December 1975 prices, plus or minus such amounts as may be justified by reason of ordinary fluctuations in operation and maintenance costs involved therein, annually thereafter for necessary maintenance.

(Pub. L. 88–411, § 3, Aug. 10, 1964, 78 Stat. 386; Pub. L. 93–126, § 7(b), Oct. 18, 1973, 87 Stat. 452; Pub. L. 95–105, title V, § 514(b), Aug. 17, 1977, 91 Stat. 862.)

AMENDMENTS

1977—Pub. L. 95–105 inserted ''based on December 1975 prices, plus or minus such amounts as may be justified by reason of ordinary fluctuations in operation and maintenance costs involved therein,'' after ''$30,000''.

1973—Pub. L. 93–126 substituted ''$30,000'' for ''$20,000''.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95–105 effective Oct. 1, 1977, see section 514(d) of Pub. L. 95–105, set out as a note under section 277d–3 of this title.

§ 277d–29. Rio Grande canalization project; flood and sediment control; agreements authorized; control gates; costs; authorization of appropriations

For the purposes of facilitating and implementing operation and maintenance of the international Rio Grande canalization project, the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is authorized to enter into agreements with the appropriate official or officials of local organizations, as defined in the Watershed Protection and Flood Prevention Act of August 4, 1954, as amended [16 U.S.C. 1001 et seq.], for the maintenance by said local organizations either directly or indirectly through mutually satisfactory maintenance agreements with others, including the United States, of all those flood and arroyo sediment control dams, together with all related works, hereafter installed or constructed in the Rio Grande watershed between Caballo Dam and El Paso, Texas, in accordance with said Act, and which are necessary, in the opinion of Said Commissioner, to facilitate and implement the operation and maintenance of said project.

Such maintenance agreements between the local organization and the United States shall provide the extent of contribution by the United States as may be mutually agreed by the two parties, based on the degree of benefits to be derived from said dams and related works, and the contribution by the United States may be either in the form of funds or performance of the actual operation and maintenance.

Control gates shall not be installed on any of the dams which, in the opinion of the United States Commissioner, International Boundary and Water Commission, United States and Mexico, are necessary to facilitate and implement the operation and maintenance of the Rio Grande canalization project.

Arrangements made between the United States and the local organizations shall be satisfactory to the Secretary of Agriculture for defraying cost of maintaining such work of improvement in accordance with regulations prescribed by said Secretary.

There is hereby authorized to be appropriated not in excess of $50,000 per annum for contributions to maintenance authorized by this section.

(Pub. L. 88–600, Sept. 18, 1964, 78 Stat. 956; Pub. L. 93–126, § 7(c), Oct. 18, 1973, 87 Stat. 452.)

REFERENCES IN TEXT

The Watershed Protection and Flood Prevention Act of August 4, 1954, as amended, referred to in text, is act Aug. 4, 1954, ch. 656, 68 Stat. 666, as amended, which is classified generally to chapter 18 (§ 1001 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 1001 of Title 16 and Tables.

AMENDMENTS

1973—Pub. L. 93–126 substituted ''$50,000'' for ''$23,000''.

§ 277d–30. Lower Rio Grande drainage conveyance canal projects; agreements with Mexico for construction, operation, and maintenance; division of costs; non-Federal assurances of one-half of Federal costs

The Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is authorized, notwithstanding any other provision of law and subject to the conditions provided in this section and section 277d–31 of this title to conclude an agreement or agreements with the appropriate official or officials of the Government of the United Mexican States

for the construction, operation, and maintenance by the United Mexican States under the supervision of the International Boundary and Water Commission, United States and Mexico, of a drainage conveyance canal through Mexican territory for the discharge of waters of El Morillo and other drains in the United Mexican States into the Gulf of Mexico in the manner, and having substantially the characteristics, described in said Commission's minute numbered 223, dated November 30, 1965. The agreement or agreements shall provide that the cost of construction including costs of design and right-of-way and the costs of operation and maintenance, shall be equally divided between the United Mexican States and the United States. Before concluding the agreement or agreements, the Secretary of State shall receive satisfactory assurances from private citizens or a responsible local group that they or it will pay to the United States Treasury one-half of the actual United States costs of such construction, including costs of design and right-of-way, and one-half of the actual costs of operation and maintenance allocated under such agreement or agreements to the United States. Payments to the United States Treasury under this section shall be covered into the Treasury as miscellaneous receipts.

(Pub. L. 89–584, § 1, Sept. 19, 1966, 80 Stat. 808.)

§ 277d–31. Authorization of appropriations

To defray costs that accrue to the United States under the agreement or agreements referred to in section 277d–30 of this title for the construction, operation, and maintenance of drainage conveyance canal projects, there are authorized to be appropriated to the Department of State for use of the United States Section, International Boundary and Water Commission, United States and Mexico, the following amounts:

(1) Not to exceed $690,000 for costs of construction.

(2) Upon completion of construction, not to exceed $25,000 based on estimated calendar year 1976 costs, plus or minus such amounts as may be justified by reason of ordinary fluctuations in operation and maintenance costs involved therein, annually for costs of operation and maintenance.

(Pub. L. 89–584, § 2, Sept. 19, 1966, 80 Stat. 808; Pub. L. 93–126, § 7(a), Oct. 18, 1973, 87 Stat. 452; Pub. L. 95–105, title V, § 514(a), Aug. 17, 1977, 91 Stat. 862.)

AMENDMENTS

1977—Par. (2). Pub. L. 95–105 inserted ''based on estimated calendar year 1976 costs, plus or minus such amounts as may be justified by reason of ordinary fluctuations in operation and maintenance costs involved therein,'' after ''$25,000''.

1973—Par. (2). Pub. L. 93–126 substituted ''$25,000'' for ''$20,000''.

EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95–105 effective Oct. 1, 1977, see section 514(d) of Pub. L. 95–105, set out as a note under section 277d–3 of this title.

§ 277d–32. Tijuana River flood control project; agreement with Mexico for joint construction, operation and maintenance

The Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States and Mexico, is hereby authorized to conclude with the appropriate official or officials of the Government of Mexico an agreement for the joint construction, operation, and maintenance by the United States and Mexico, in accordance with the provisions of the treaty of February 3, 1944, with Mexico, of an international flood control project for the Tijuana River, which shall be located and have substantially the characteristics described in ''Report on an International Flood Control Project, Tijuana River Basin'', prepared by the United States Section, International Boundary and Water Commission, United States and Mexico.

(Pub. L. 89–640, § 1, Oct. 10, 1966, 80 Stat. 884.)

§ 277d–33. Authorization; construction, operation, and maintenance, appropriations, and acquisition of land

Pursuant to the agreement concluded under the authority of section 277d–32 of this title, the United States Commissioner is authorized to construct, operate, and maintain the portion of the ''International Flood Control Project, Tijuana River Basin,'' assigned to the United States, and there is hereby authorized to be appropriated to the Department of State for use of the United States section the sum of $10,800,000 for construction costs of such project, as modified, based on estimated June 1976 prices, plus or minus such amounts as may be justified by reason of price index fluctuations in costs involved therein, and such sums as may be necessary for its maintenance and operation, except that no funds may be appropriated under sections 277d–32 and 277d–33 of this title for the fiscal year ending on September 30, 1977. Contingent upon the furnishing by the city of San Diego of its appropriate share of the funds for the acquisition of the land and interests therein needed to carry out the agreement between the United States and Mexico to construct such project, the Secretary of State, acting through the United States Commissioner, is further authorized to participate financially with non-Federal interests in the acquisition of said lands and interest therein, to the extent that funds provided by the city of San Diego are insufficient for this purpose.

(Pub. L. 89–640, § 2, Oct. 10, 1966, 80 Stat. 884; Pub. L. 94–425, Sept. 28, 1976, 90 Stat. 1333.)

AMENDMENTS

1976—Pub. L. 94–425 substituted provisions authorizing appropriations of $10,800,000 for construction costs for project based on June 1976 prices, with exception that no funds may be appropriated for fiscal year ending Sept. 30, 1977 for provisions authorizing appropriations not to exceed $12,600,000 for construction costs for project, eliminated provision requiring approval of title by Attorney General, and inserted provision authorizing financial participation of Secretary of State through Commissioner to acquire land for construction of project contingent upon city of San Diego furnishing its appropriate share of funds.