

§ 277d-34. American-Mexican Boundary Treaty, authorization for carrying out treaty provisions; investigations; land acquisition, purposes; damages, repair or compensation

In connection with the treaty between the United States of America and the United Mexican States to resolve pending boundary differences and maintain the Rio Grande and the Colorado River as the international boundary between the United States of America and the United Mexican States, signed November 23, 1970, (hereafter in this Act referred to as the “treaty”), the Secretary of State, acting through the United States Commissioner, International Boundary and Water Commission, United States, and Mexico (hereafter in this Act referred to as the “Commissioner”), is authorized—

(1) to conduct technical and other investigations relating to—

(A) the demarcation, mapping, monumentation, channel relocation, rectification, improvement, stabilization, and other matters relating to the preservation of the river boundaries between the United States and Mexico;

(B) the establishment and delimitation of the maritime boundaries in the Gulf of Mexico and in the Pacific Ocean;

(C) water resources; and

(D) the sanitation and the prevention of pollution;

(2) to acquire by donation, purchase, or condemnation, all lands or interests in lands required—

(A) for transfer to Mexico as provided in the treaty;

(B) for construction of that portion of new river channels and the adjoining levees in the territory of the United States;

(C) to preserve the Rio Grande and the Colorado River as the boundary by preventing the construction of works which may cause deflection or obstruction of the normal flow of the rivers or of their floodflows; and

(D) for relocation of any structure or facility, public or private, the relocation of which, in the judgment of the Commissioner, is necessitated by the project; and

(3) to remove, modify, or repair the damages caused to Mexico by works constructed in the United States which the International Boundary and Water Commission, United States and Mexico, as determined have an adverse effect on Mexico, or to compensate Mexico for such damages.

(Pub. L. 92-549, title I, § 101, Oct. 25, 1972, 86 Stat. 1161.)

REFERENCES IN TEXT

This Act, referred to in text, means Pub. L. 92-549, Oct. 25, 1972, 86 Stat. 1161, which enacted sections 277d-34 to 277d-42 of this title and amended section 1322 of Title 19, Customs Duties. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

SHORT TITLE

Section 1 of Pub. L. 92-549 provided: “That this Act [enacting this section and sections 277d-35 to 277d-42 of

this title and amending section 1322 of Title 19, Customs Duties] may be cited as the ‘American-Mexican Boundary Treaty Act of 1972.’”

§ 277d-35. Construction, operation, and maintenance of works; property relocation, contracts; transfer of authority

The Commissioner is authorized—

(1) to construct, operate, and maintain all works provided for in the treaty and title I of this Act;

(2) to enter into contracts with the owners of properties to be relocated whereby such owners undertake to perform, at the expense of the United States, any or all operations involved in such relocations; and

(3) to turn over the operation and maintenance of any works referred to in paragraph (1) of this section to any Federal agency, or any State, county, municipality, district, or other political subdivision within which such works may be situated, in whole or in part, upon such terms, conditions, and requirements as the Commissioner may deem appropriate.

(Pub. L. 92-549, title I, § 102, Oct. 25, 1972, 86 Stat. 1161.)

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 92-549, Oct. 25, 1972, 86 Stat. 1161, known as the “American-Mexican Boundary Treaty Act of 1972”. Title I of this Act enacted sections 277d-34 to 277d-40 of this title and amended section 1322 of Title 19, Customs Duties. For complete classification of this Act to the Code, see Short Title note set out under section 277d-34 of this title and Tables.

§ 277d-36. Sale of excess land

Notwithstanding any other provision of law, the Commissioner is authorized to dispose of by warranty deed, or otherwise, any land acquired by him on behalf of the United States, or obtained by the United States pursuant to treaty between the United States and Mexico, and not required for project purposes, under procedures to be formulated by the Commissioner, to adjoining landowners at such price as he considers fair and equitable, and, if not so disposed of, to turn such land over to the General Services Administration for disposal under the provisions of the Federal Property and Administrative Services Act of 1949.¹

(Pub. L. 92-549, title I, § 103, Oct. 25, 1972, 86 Stat. 1162.)

REFERENCES IN TEXT

The Federal Property and Administrative Services Act of 1949, as amended, referred to in text, is act June 30, 1949, ch. 288, 63 Stat. 377, as amended. Except for title III of the Act, which is classified generally to subchapter IV (§251 et seq.) of chapter 4 of Title 41, Public Contracts, the Act was repealed and reenacted by Pub. L. 107-217, §§1, 6(b), Aug. 21, 2002, 116 Stat. 1062, 1304, as chapters 1 to 11 of Title 40, Public Buildings, Property, and Works.

§ 277d-37. Channel shifts; boundary determination

When a determination must be made under the treaty whether to permit a new channel to be-

¹ See References in Text note below.