

made permanent appropriations to be expended under such accounts were amended so as to authorize, in lieu thereof, annual appropriations from the general fund of the Treasury in identical terms and in such amounts as were provided by the laws providing such permanent appropriations. The text of section 2(b)(12) of such Act provides as follows: "Permanent International Commission of Congresses of Navigation (fiscal year) (8-887)." See 1934 Amendment note below.

#### AMENDMENTS

1934—Act June 26, 1934, substituted "The sum of \$3,000 a year is authorized to be appropriated" for "The sum of \$3,000 a year is hereby appropriated".

#### Statutory Notes and Related Subsidiaries

##### CHANGE OF NAME

Department of War designated Department of the Army and title of Secretary of War changed to Secretary of the Army by section 205(a) of act July 26, 1947, ch. 343, title II, 61 Stat. 501. Section 205(a) of act July 26, 1947, was repealed by section 53 of act Aug. 10, 1956, ch. 1041, 70A Stat. 641. Section 1 of act Aug. 10, 1956, enacted "Title 10, Armed Forces" which in sections 3010 to 3013 continued Department of the Army under administrative supervision of Secretary of the Army.

##### EFFECTIVE DATE OF 1934 AMENDMENT

Act June 26, 1934, ch. 756, §2(a), 48 Stat. 1225, provided that the permanent appropriations under the appropriations titles listed in section 2(b) of such Act were repealed, effective July 1, 1935.

#### § 266a. Transferred

##### Editorial Notes

##### CODIFICATION

Section, act Feb. 14, 1931, ch. 189, 46 Stat. 1162, as amended, which related to appropriations for expenses of participation in the International Technical Committee of Aerial Legal Experts, was transferred to section 231 of former Title 49, Transportation, and subsequently repealed by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379, the first section of which enacted subtitles II, III, and V to X of Title 49, Transportation.

#### § 266b. Repealed. June 11, 1940, ch. 306, 54 Stat. 263

Section, Joint Res. Aug. 7, 1935, ch. 455, §2, 49 Stat. 540, related to termination of Authorizations for Participation in Work of Committee of International Technical Aerial Legal Experts.

#### § 267. Permanent Commission of International Geodetic Association; representative of United States

The duly appointed representative of the United States on the permanent commission of the International Geodetic Association is granted authority to vote with the representatives on the permanent commission from other nations on all matters coming before the association, including the extension of its existence, subject to the approval of Congress.

(Mar. 3, 1917, ch. 161, 39 Stat. 1055.)

#### § 267a. Appointment of delegates; compensation

The President is authorized to appoint delegates, who shall be officers of the National Ocean Survey, to attend the meetings of the International Geodetic Association whenever and wheresoever the same shall be held; but no

extra salary or additional compensation shall be paid to such officers by reason of such attendance.

(July 23, 1894, No. 37, 28 Stat. 587.)

#### Executive Documents

##### CHANGE OF NAME

Coast and Geodetic Survey consolidated with National Weather Bureau in 1965 to form Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318. Environmental Science Services Administration abolished in 1970 and its personnel, property, records, etc., transferred to National Oceanic and Atmospheric Administration by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090. By order of Acting Associate Administrator of National Oceanic and Atmospheric Administration, 35 F.R. 19249, Dec. 19, 1970, Coast and Geodetic Survey redesignated National Ocean Survey. See notes set out under section 311 of Title 15, Commerce and Trade.

#### § 267b. International Joint Commission; invitation to establish; personnel; duties

The President of the United States is requested to invite the Government of Great Britain to join in the formation of an international commission, to be composed of three members from the United States and three who shall represent the interests of the Dominion of Canada, whose duty it shall be to investigate and report upon the conditions and uses of the waters adjacent to the boundary lines between the United States and Canada, including all of the waters of the lakes and rivers whose natural outlet is by the River Saint Lawrence to the Atlantic Ocean; also upon the maintenance and regulation of suitable levels; and also upon the effect upon the shores of these waters and the structures thereon, and upon the interests of navigation, by reason of the diversion of these waters from or change in their natural flow; and, further, to report upon the necessary measures to regulate such diversion, and to make such recommendations for improvements and regulations as shall best subserve the interests of navigation in said waters. The said commissioners shall report upon the advisability of locating a dam at the outlet of Lake Erie, with a view to determining whether such dam will benefit navigation, and if such structure is deemed advisable, shall make recommendations to their respective Governments looking to an agreement or treaty which shall provide for the construction of the same, and they shall make an estimate of the probable cost thereof. The President, in selecting the three members of said Commission who shall represent the United States, is authorized to appoint one officer of the Corps of Engineers of the United States Army, one civil engineer well versed in the hydraulics of the Great Lakes, and one lawyer of experience in questions of international and riparian law, and said Commission shall be authorized to employ such persons as it may deem needful in the performance of the duties hereby imposed.

(June 13, 1902, ch. 1079, §4, 32 Stat. 373.)

##### ESTABLISHMENT OF COMMISSION

The International Joint Commission was organized in 1911 pursuant to article VII of the treaty of January 11, 1909, with Great Britain, 36 Stat. 2448.

**Editorial Notes**

## CODIFICATION

Provisions of this section relating to the payment of salaries and expenses of the International Joint Commission were omitted. For provisions relating to the payment of salaries of the United States members of the International Joint Commission, see section 268 of this title.

**Statutory Notes and Related Subsidiaries**

## WATER RESOURCES PLANNING

Jurisdiction, powers, or prerogatives of the International Joint Commission, United States and Canada, unaffected by Water Resources Planning Act, see section 1962-1 of Title 42, The Public Health and Welfare.

## PASSAMAQUODDY TIDAL POWER PROJECT

Joint Res. Jan. 31, 1956, ch. 27, 70 Stat. 9, provided for the Secretary of State to request the International Joint Commission created by the treaty between the United States and Great Britain relating to boundary waters between the United States and Canada to arrange for a final survey to be made to determine the cost of construction and economic feasibility of the proposed Passamaquoddy tidal power project at Passamaquoddy Bay, authorized United States agencies to assist the Commission, authorized appropriations, and required the Secretary of State to report the results of the survey to Congress.

**§ 268. International Joint Commission; salaries; powers**

The salaries of the members on the part of the United States, of the International Joint Commission, established under the treaty of January 11, 1909, between the United States and Great Britain, relating to boundary waters between the United States and Canada, shall be fixed by the President. Said commission or any member thereof shall have power to administer oaths and to take evidence on oath whenever deemed necessary in any proceeding or inquiry or matter within its jurisdiction under said treaty, and said commission shall be authorized to compel the attendance of witnesses in any proceedings before it or the production of books and papers when necessary by application to the district court of the United States for the district within which such session is held, which court is hereby empowered and directed to make all orders and issue all processes necessary and appropriate for that purpose.

(Mar. 4, 1911, ch. 285, 36 Stat. 1364.)

**§ 268a. Repealed. Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 650**

Section, act May 14, 1940, ch. 189, title I, 54 Stat. 191, related to compensation and travel expenses of the International Joint Commission.

Similar provisions were contained in the following prior appropriation acts:

June 29, 1939, ch. 248, title I, 53 Stat. 895.

Apr. 27, 1938, ch. 180, title I, 52 Stat. 256.

June 16, 1937, ch. 359, title I, 50 Stat. 270.

May 15, 1936, ch. 405, 49 Stat. 1319.

Mar. 22, 1935, ch. 39, 49 Stat. 75.

**§ 268b. Advances from appropriation "Boundary line, Alaska and Canada, and the United States and Canada"**

Advances of money under the appropriation "Boundary line, Alaska and Canada, and the

United States and Canada", may be made to the commissioner on the part of the United States and by his authority to chiefs of parties prior to March 2, 1921.

(Apr. 15, 1918, ch. 52, 40 Stat. 523; Mar. 2, 1921, ch. 113, 41 Stat. 1210; June 10, 1921, ch. 18, title III, § 304, 42 Stat. 24; Apr. 29, 1926, ch. 195, title I, 44 Stat. 336; Feb. 24, 1927, ch. 189, title I, 44 Stat. 1185; Feb. 15, 1928, ch. 57, title I, 45 Stat. 70; Jan. 25, 1929, ch. 102, title I, 45 Stat. 1101; Apr. 18, 1930, ch. 184, title I, 46 Stat. 179; Pub. L. 89-554, § 8(a), Sept. 6, 1966, 80 Stat. 643; Pub. L. 92-310, title II, § 231(aa), June 6, 1972, 86 Stat. 212; Pub. L. 104-316, title I, § 111(a), Oct. 19, 1996, 110 Stat. 3833.)

**Editorial Notes**

## CODIFICATION

Section is from the Diplomatic and Consular Service Appropriation Act of Mar. 2, 1921. Similar provisions were contained in act Apr. 15, 1918, and other prior acts.

Acts Apr. 29, 1926; Feb. 24, 1927; Feb. 15, 1928; Jan. 25, 1929; and Apr. 18, 1930, were appropriation acts for the fiscal years 1927, 1928, 1929, 1930, and 1931, respectively. These Acts made applicable boundary appropriations for the enumerated fiscal years.

Section was formerly classified to section 535 of Title 31 prior to the general revision and enactment of Title 31, Money and Finance, by Pub. L. 97-258, § 1, Sept. 13, 1982, 96 Stat. 877.

## AMENDMENTS

1996—Pub. L. 104-316 substituted "chiefs of parties" for "chiefs of parties and accounts arising under advances shall be rendered through and by the commissioner on the part of the United States to the General Accounting Office as under advances made to chiefs of parties".

1972—Pub. L. 92-310 struck out provisions that required chiefs of parties to give bonds.

1966—Pub. L. 89-554 struck out provisions that related to traveling expenses of the commissioner.

## TRANSFER OF FUNCTIONS

"General Accounting Office" substituted in text for "Treasury Department" pursuant to act June 10, 1921, which transferred powers and duties conferred upon Comptroller, six auditors, and certain other officers of the Treasury to General Accounting Office. See section 701 et seq. of Title 31, Money and Finance.

**§ 268c. Limitation on expenditure of funds for compensation of International Boundary Commissioner to actual hours worked**

Funds appropriated on and after September 30, 1996, or otherwise made available under this Act or any other Act may be expended for compensation of the United States Commissioner of the International Boundary Commission, United States and Canada, only for actual hours worked by such Commissioner.

(Pub. L. 104-208, div. A, title I, § 101(a) [title IV, § 403], Sept. 30, 1996, 110 Stat. 3009, 3009-54.)

**Statutory Notes and Related Subsidiaries**

## SIMILAR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 103-317, title V, § 503, Aug. 26, 1994, 108 Stat. 1764.

Pub. L. 103-121, title V, § 503, Oct. 27, 1993, 107 Stat. 1189.