

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.)

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.

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.

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.)

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.