

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS
International Joint Commission
International Boundary Commission
Border Environment Cooperation Commission

Proposed Appropriation Language

AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182, \$11,996,000: Provided, That of the amount provided under this heading for the International Joint Commission, \$9,000 may be made available for representation expenses.

INTERNATIONAL JOINT COMMISSION

Resource Summary

(\$ in thousands)

Appropriations	FY 2010 Actual	FY 2011 CR	FY 2012 Request
American Positions	24	24	24
Funds	8,000	8,000	7,237

Program Description

The Boundary Waters Treaty of 1909 (BWT) established the International Joint Commission (IJC) as a cornerstone of United States – Canada relations in the boundary region. The IJC has fine-tuned a successful model for preventing and resolving disputes that is unbiased, scientifically based, inclusive, and open to public input. Under the BWT, the IJC licenses and regulates uses, obstructions, or diversions of boundary waters in one country that affect water levels and flows on the other side of the boundary. The IJC provides advice to and conducts studies at the request of the U.S. and Canadian Governments on critical issues of joint concern, and apports waters in transboundary river systems. The IJC also alerts the governments to emerging issues that might have negative impacts on the quality or quantity of boundary waters and brings to the attention of senior officials the latest developments in science, engineering, and administration that could benefit the management, security, or conservation of water-related natural resources. Other treaties, agreements, and conventions direct the IJC to assess progress in restoration of water quality in the Great Lakes, and, in specified transboundary basins, to respond quickly to emergency water level conditions, apportion flows, and approve diversions. The IJC also assists the governments in efforts to prevent transboundary air pollution and improve air quality.

Led by three commissioners from each country, the IJC operates through small section staffs in Washington, D.C. (U.S. funded), Ottawa, Canada (Canadian funded), and a binational Great Lakes Regional Office in Windsor, Canada (jointly funded). Currently, 20 active boards and task forces, plus various related technical working groups and committees, provide expert advice on both science and policy issues. Approximately 300 professionals from within government agencies, universities, nonprofit agencies, and industry carry out this work in their personal and professional capacities and not as representatives of their respective organizations or countries.

Under the BWT, the IJC is given the responsibility to approve applications for and oversee the operation of hydropower dams and other infrastructure projects in waters along the U.S.-Canadian border in order to suitably protect all interests from potential adverse effects of these projects. When the IJC approves such projects, typically a binational board is established to oversee construction and operation of the project. The board assures that treaty requirements are met and helps the IJC carry out its regulatory functions. As required, the IJC conducts studies to review the operational criteria for projects under IJC jurisdiction. In addition, the BWT provides that the U.S. and Canadian Governments may refer questions or matters of difference to the IJC for examination and report. When such a “reference” is received, the IJC appoints an investigative board or task force for advice on the matters addressed in the reference. Since the establishment of the IJC, the two governments have requested, on more than 120 occasions, that the Commission review applications for projects affecting boundary waters and undertake studies, or “references,” on critical issues about which they disagree or on which they seek the advice of the IJC.

The IJC supports three of the Department’s performance goals. These are: 1) The establishment of close, strong, and effective U.S. ties with allies, friends, partners, and regional organizations 2)The containment

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or resolution of existing and emergency regional conflicts, and 3) The development of partnerships, initiatives, and implemented international treaties and agreements that protect the environment and promote efficient energy use and resource management. The IJC's annual project agenda consists of scientific and technical studies performed at the request of the two national governments, some known in advance, others requested during the course of the fiscal year.

A long-term program goal is to ensure that the IJC's ability to address existing and emerging issues remains strong, thereby helping governments prevent and resolve disputes. The IJC must maintain its ability to respond to references issued by the two governments, and to address issues early and, as much as possible, at the local level so that more substantive transboundary controversies are averted and the need for formal references avoided. A short-term program goal toward this end is steady progress in ensuring scientific, technical, and institutional capacity. The structure of the Commission's boards and task forces is a critical component of this capacity, providing a forum for relevant agencies, academics, industry representatives, and others in both countries to bring their scientific and technical expertise to bear, to address emerging issues, and to discuss these issues with the local public. In FY 2009, the IJC and its 20 boards and task forces held 59 meetings to address issues under their purview, including some 30 public consultation sessions in communities along or near the international boundary, and 60 reports were issued under the auspices of the IJC providing information on work undertaken by the Commission.

A second long-term program goal is to ensure that the requirements for the design, construction and operation of facilities affecting international water levels and flows remains relevant for current and anticipated conditions. A short-term goal within this context is to ensure steady progress in reviewing the IJC's decades-old international approvals in light of changed social, technical, and climatic conditions.

Justification of Request

The FY 2012 request of \$7.237 million for the International Joint Commission reflects a decrease of \$736,000 below the FY 2010 enacted level.

The FY 2012 request reflects a decrease in operational funding below the FY 2010 level for the following activities: 1) The Upper Great Lakes Study examining the regulation of Lake Superior outflows and their water levels and flow impacts for Lakes Superior, Huron, Michigan, and Erie and their connecting channels, including the St. Clair River (-\$875,000); 2) the pathogens and parasites study in the Devils Lake watershed (-\$103,000); 3) the Lake Ontario-St. Lawrence River Working Group (-\$50,000); and 4) and the IJC public review process under the U.S.-Canada Air Quality Agreement (-\$60,000).

Requested funding increases for FY 2012 consist of the following: 1) \$300,000 for the Rainy and Namakan Lake-Rainy River Study, required for the mandated review of the IJC's 2001 Order of Approval; 2) \$125,000 for the Great Lakes Regional Office to cover inflation and exchange rate fluctuations and additional activities to assist the governments in protecting the Great Lakes; 3) \$100,000 for increased water monitoring by the U.S. Geological Survey to cover inflation and additional gauging stations, including three critical stations in the Great Lakes region; and 4) \$100,000 for the International Watersheds Initiative to allow for increased participation by IJC Boards and Task Forces in resolving transboundary water issues at a local or regional level.

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Funds by Program Activity (\$ in thousands)

Activities	FY 2010 Actual	FY 2011 CR	FY 2012 Request
Program Expenses	7,923	8,000	7,237
Special & Technical Investigations by U.S. Geological Survey	750	787	838
U.S. Section	7,173	7,213	6,399
Total	7,923	8,000	7,237

Funds by Object Class (\$ in thousands)

	FY 2010 Actual	FY 2011 CR	FY 2012 Request
1100 Personnel Compensation	2,653	2,971	2,132
1200 Personnel Benefits	655	749	466
2100 Travel & Trans of Persons	394	454	365
2300 Rents, Comm & Utilities	174	186	137
2400 Printing & Reproduction	87	59	15
2500 Other Services	3,350	3,369	4,077
2600 Supplies and Materials	82	76	40
3100 Personal Property	155	103	5
4100 Grants, Subsidies & Contrb	373	33	0
Total	7,923	8,000	7,237

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INTERNATIONAL BOUNDARY COMMISSION

Resource Summary

(\$ in thousands)

Appropriations	FY 2010 Actual	FY 2011 CR	FY 2012 Request
American Positions	8	8	8
Funds	2,359	2,359	2,433

Program Description

The primary mission of the International Boundary Commission (IBC) is to maintain an “effective” (cleared and well-marked) boundary between the United States and Canada as prescribed by the 1925 Treaty of Washington. In recent years, the IBC has modified its mission in ways that permit it to support more effectively the Department of State’s Strategic goal of Achieving Peace and Security. To achieve its mission the IBC has established a maintenance schedule for the entire U.S.-Canadian boundary (5,525 miles) as the primary performance measure of the effectiveness of the IBC. The February 2004 “Report on the present state of the Maintenance of the United States and Canada Boundary and Recommendations for the Future” details the state of the boundary and the steps necessary for the IBC to meet the performance goal.

The Treaty of 1925 requires the maintenance of an *effective* boundary line between the United States and Canada. The Treaty specifies that, to be *effective*, the boundary line must be accurately delineated and marked with stable identifying monuments. This is accomplished on land by clearing a 20-foot wide line-of-sight (vista) from one boundary monument to the next along the entire 5,525 mile U.S.-Canadian boundary. The IBC maintains more than 5,500 land boundary monuments and more than 2,800 reference monuments, which are used to locate the water boundary. In addition, the IBC regulates construction crossing the boundary and provides boundary-specific positional and cartographic data to the public and private sectors. The IBC appropriation provides funds to implement U.S. obligations under the Treaty, thereby maintaining and preserving an effective boundary line between the two countries that ensures the sovereignty of each nation over its territory by clearly establishing where one’s rights, responsibilities end, and the other’s begin, thus virtually eliminating the potential for serious and costly boundary disputes.

Although the boundary was cleared, surveyed, and marked years ago, a cyclical program of maintenance is required to sustain an effective boundary line. The necessity of continuous maintenance is due to the deterioration, destruction of boundary monuments and to brush, and timber overgrowth obstructing the 20-foot wide vista. Generally, the boundary is on a 15-year maintenance cycle. The discontinuation of herbicide use in the late seventies has had a tremendous impact in high growth areas. Cost associated with clearing these areas has almost doubled. Increased security issues along the boundary in recent years has caused the IBC to alter project priorities and maintenance cycles in some areas and to accelerate the maintenance cycle in other high traffic areas.

The IBC is continuing to resurvey the entire boundary and convert all North American Datum 27 (NAD 27) map coordinates that currently define the boundary to NAD 83 positions.

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Justification of Request

The FY 2012 request of \$2.433 million reflects an increase of \$74,000 above the FY 2010 Actual level. This request funds current services, including the following IBC operations and seven field campaigns / boundary maintenance projects:

- Re-clearing 141st Meridian (Alaska-Yukon, 64 miles), \$550,000
- Vista clearing “49th” Parallel (Minnesota-Manitoba, 48 miles), \$131,000
- St. Francis River Vista clearing and Boundary marking (Maine-New Brunswick, \$60,000)
- Monument maintenance and clearing Lake Superior to the Rainy River (Minnesota-Ontario, \$100,000)
- Clear 3 miles Glacier Park (Montana-Alberta, \$25,000)
- Monument Maintenance SW Branch St. John (Maine-Quebec, \$100,000)
- Monument Maintenance and Survey 141st Meridian Mark (Alaska-Yukon, \$240,000)

Funding will also provide for Mapping and Geographic Information System (GIS) maintenance. A well-marked and maintained boundary enables federal, state, and local law enforcement agencies to accomplish their duties more effectively. It ensures that persons arriving at the boundary anywhere along its length will know which country they are in and with which laws they must obey. An ambiguous boundary line would needlessly complicate and disrupt the business of government and private industry as well as the lives of the people living and working along it.

IBC – Operations

Funds requested for this program will cover the cost of all salaries and benefits for the permanent staff of the IBC as well as their support costs. Support cost includes communications, supplies, rent, and all travel by headquarters staff and non-field season travel undertaken by field officers for not only the Washington, D.C. office but also the three field offices located in Great Falls, MT, Thief River Falls, MN, and Houlton, ME.

Mapping/GIS/Survey Projects

The IBC will remap the U.S. - Canadian boundary. The official boundary maps were last updated 70 years ago and are now badly outdated. This request will be to produce 15-20 boundary maps. The GIS portion of this request will be used to hire temporary employees to input data into the database.

Equipment Lifecycle Program

Funds will be used to purchase two All Terrain Vehicles for the Montana field office, and upgrade Global Positioning System equipment.

Program Evaluation

Maintaining an *effective* boundary is vitally important for the National interest. The IBC proposes to track performance by comparing the number of miles along the border maintained (vista clearing and monument maintenance) during each fiscal year with the number of miles targeted for that year, to gauge efficiency by comparing performance data with operational costs, and to document the implementation and results of efficiency improvements.

INTERNATIONAL BOUNDARY COMMISSION

Funds by Program Activity (\$ in thousands)

Activities	FY 2010 Actual	FY 2011 CR	FY 2012 Request
International Boundary Commission	2,359	2,359	2,433
Equipment Lifecycle Program	159	169	50
Field Campaigns	1,125	1,115	1,283
IBC - Operations	925	925	950
Mapping / Survey Projects	150	150	150
Total	2,359	2,359	2,433

Funds by Object Class (\$ in thousands)

	FY 2010 Actual	FY 2011 CR	FY 2012 Request
1100 Personnel Compensation	572	567	594
1200 Personnel Benefits	172	178	178
2100 Travel & Trans of Persons	97	100	100
2300 Rents, Comm & Utilities	86	96	89
2500 Other Services	1,228	1,217	1,367
2600 Supplies and Materials	56	55	55
3100 Personal Property	148	146	50
Total	2,359	2,359	2,433

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BORDER ENVIRONMENT COOPERATION COMMISSION

Resource Summary

(\$ in thousands)

Appropriations	FY 2010 Actual	FY 2011 CR	FY 2012 Request
Funds	2,249	2,249	2,326

Program Description

The Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADB) are international organizations created by the United States and Mexico under a side agreement to the North American Free Trade Agreement, in order to help address the environmental infrastructure needs in the border region between both countries. The *“Agreement between the Government of the United States of America and the Government of the United Mexican States Concerning the Establishment of a Border Environment Cooperation Commission and a North American Development Bank”* (the BECC/NADB Charter), was executed in 1993 and amended through Protocol of Amendment signed on November 25 and 26, 2002, which entered into effect on August 6, 2004. The BECC, a U.S.–Mexico bi-national institution is located in Ciudad Juarez, Chihuahua, Mexico,

The mission of the BECC is to work towards preserving, protecting, and enhancing the quality of human health and the environment along the U.S.–Mexico border region. This is achieved via strengthening cooperation among interested parties and supporting sustainable projects through a transparent bi-national process in close coordination with the NADB, federal, state, local agencies, the private sector, and civil society. BECC was established to assist border communities in developing environmental infrastructure projects meeting certification requirements making them eligible to receive funding from the NADB or other institutions. The goal of BECC’s certification requirements is to ensure that projects provide environmental and human health benefits are technically feasible and affordable as well as capable of being operated over the long term, while ensuring transparency and public participation. BECC is authorized to work on the U.S.–Mexico border up to 100 km north on the U.S. side and 300 km south on the Mexican side.

In order to carry out its purpose, the BECC/NADB Charter grants the BECC the following functions:

- With their concurrence, assist states, localities, and other public entities and private investors in: coordinating, preparing, developing, implementing, and overseeing environmental infrastructure projects in the border region, including the design, sitting, and other technical aspects; analyzing the financial feasibility or the environmental aspects of the environmental infrastructure projects; evaluating social and economic benefits of the projects; and organizing, developing and arranging public and private financing for environmental infrastructure projects in the border region; and
- Certify, by a decision of its Board of Directors, environmental infrastructure projects in the border region to be submitted for financing to the NADB, or to other sources of financing that request such certification.

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The BECC/NADB Charter defines an environmental infrastructure project as a project that will “prevent, control, or reduce environmental pollutants or contaminants, improve the drinking water supply, or protect flora and fauna so as to improve human health, promote sustainable development, or contribute to a higher quality of life”. Based on this definition, the specific sectors that BECC and NADB currently address are the following:

- Water Pollution
- Wastewater Treatment
- Municipal Solid Waste
- Water Conservation
- Industrial and Hazardous Waste
- Domestic hook-ups to Water / Wastewater Systems
- Recycling and Waste Reduction

The sectors listed above are given priority by the BECC/NADB Charter

- Air Quality
- Clean and Efficient Energy
- Public Transportation
- Municipal Planning and Development, including Water Management

The work of the BECC continues to support the Department of State’s strategic goal of Social and Environmental Issue through the following three programs: 1) Technical Assistance Program; 2) Public Involvement and Public Outreach Process; and 3) Municipal Strategic Planning. In order to set performance goals for the institution an administrative tool called “Balanced Scorecard” (BSC) was introduced. The BSC is a modern management method for measuring an organization's performance parameters. The BSC design translates the organization’s vision, values, mission, and strategy into performance indicators, which can be used to measure the degree in which the strategic objectives are accomplished. It assists in monitoring the fulfillment of strategic objectives, expenses, costs, productivity, customer satisfaction, internal processes, employee motivation, and training.

The BECC's BSC contains 18 strategic objectives and 208 performance indicators; 15 of the performance indicators (corresponding to 11 strategic objectives) were selected through a prioritization process and will be implemented in FY 2012. In addition, the objectives of the Quality Management System are also perfectly attuned to the objectives and indicators of the BSC. This effort resulted in BECC organizing its efforts into three groups consisting of seven programs, which are:

Technical Assistance:

- Technical Assistance and Project Certification
- Environmental Project Management
- Strategic Planning
- BECC Performance Improvement and General Support

Public Involvement and Public Outreach Process:

- Knowledge Management Program
- Public Participation and Capacity Building Program

Municipal Strategic Planning:

- Municipal Planning

Technical Assistance

The role of the BECC is to assist border communities in the development and certification of high priority environmental infrastructure projects by providing technical assistance services such as engineering analysis, project development and design, financial feasibility studies, community participation, environmental assessment, and sustainable development. In addition to providing project development expertise, the BECC mobilizes the resources from U.S. and Mexican environmental agencies and other

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sources, and provides access to the financial resources of the NADB or other funding sources requiring such certification.

The BECC assists the U.S.-Mexico border's neediest communities, which without this assistance would otherwise be incapable of obtaining financial resources, by providing grant funding for planning, development, and design of necessary, complex environmental infrastructure projects. BECC commits resources that enable border communities to undertake initial project development activities and as well, as facilitate subsequent detailed technical work necessary to formulate high quality projects that can meet the intent of the certification process.

Technical Assistance and Project Certification

The purpose of the Technical Assistance and Project Certification is to offer technical services and/or financial assistance to help project sponsors effectively implement high-quality project development efforts and achieve certification for critical environmental infrastructure projects.

Environmental Project Management

The purpose of the Environmental Project Management Program is to utilize BECC's leadership and institutional capacities to create an opportunity to enhance coordination among stakeholders and strengthen regional commitment to environmental activities, resulting in greater efficiencies and effectiveness for the project beneficiaries and related programs.

Strategic Planning

The purpose of the Strategic Planning Program is to identify needs, develop/prioritize solutions, and optimizes resources to achieve local, state, and regional environmental and human health goals. This program includes environmental infrastructure planning by region and by sector, as well as strategy development and project management for some project types in new sectors, such as energy efficiency and renewable energy. As a related function, this program also encompasses the implementation of the results measurement system for projects, specifically for post-implementation review and monitoring tasks. This includes activities such as the recently initiated project closeout process.

BECC Performance Improvements and General Support

The purpose of the Performance Improvement initiative is to identify, develop, and implement institutional improvements to enhance BECCs its capacity to achieve high-quality products and services via optimal use of human capital and financial resources,. In addition, the General Support activity is to provide responsive and high quality services important to the daily operations of the BECC.

Justification of Request

For FY 2012, the BECC is requesting \$2.326 million for its operating budget. This level of funding reflects an increase of \$77,000 above the FY 2010 enacted level and funds current services. This level will allow the BECC to continue supporting the Department in achieving its strategic goal of improving health and environmental conditions in the U.S.-Mexico border region. The U.S. portion of the increase in BECC's budget for FY 2012 will be used for costs of living increases. The FY 2012 level of funding will allow the BECC to achieve a five percent increase in certified environmental infrastructure projects, conduct 30 environmental studies including a project, as well as a seven percent reduction in administrative costs.

BORDER ENVIRONMENT COOPERATION COMMISSION

Funds by Program Activity (\$ in thousands)

	FY 2010 Actual	FY 2011 CR	FY 2012 Request
Public Involvement and Public Outreach Process	75	75	75
Technical Assistance Program	2,174	2,174	2,251
Total	2,249	2,249	2,326

Funds by Object Class (\$ in thousands)

	FY 2010 Actual	FY 2011 CR	FY 2012 Request
1100 Personnel Compensation	1,128	1,128	1,215
1200 Personnel Benefits	282	282	302
2100 Travel & Trans of Persons	70	70	70
2300 Rents, Comm & Utilities	160	160	160
2500 Other Services	524	524	494
2600 Supplies and Materials	85	85	85
Total	2,249	2,249	2,326