

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 the Border Environment Cooperation Commission as authorized by Public Law 103–182, [~~\$12,200,000~~]*\$12,499,000: 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 2012 Actual	FY 2013 CR ⁽¹⁾	FY 2014 Request	Increase/Decrease From FY2012
Positions - Enduring	24	24	24	0
Enduring Funds	7,012	7,055	7,664	652

(1) The FY 2013 CR is based on the annualized continuing resolution calculation for FY 2013 (P.L. 112-175).

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 United States and Canadian governments on critical issues of joint concern, and apportions 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) and 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. During FY 2012, the IJC and its Boards completed 23 reports, with 91 percent of them being completed on time.

The Boundary Waters Treaty gives the IJC 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 to suitably protect all interests from potential adverse effects of these projects. When the IJC approves such projects, a binational board typically 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.

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Performance

A critical element of the IJC's work is providing information and advice to the U.S. and Canadian governments and the public on the range of issues for which the IJC has responsibility. In order to be most useful, the reports and studies from the Commission and its Boards, in which such information and advice is contained, need to be based on the best scientific and technical information available and should be provided in as timely manner as possible. These reports and studies help ensure that the stakeholders in the basins and the governments have the most current information on which to base water management decisions. The indicator of performance just established measures the timeliness of completion of IJC reports and studies.

Strategic Goal 3: Expand and sustain the ranks of prosperous, stable and democratic states by promoting effective, accountable, democratic governance; respect for human rights; sustainable, broad-based economic growth; and well-being								
Strategic Priority		Environment/Climate Change						
Active Performance Indicator		NEW APP INDICATOR: Annual percentage of reports and studies completed according to an established timeline during the fiscal year.						
Prior Year Results and Ratings					FY 2012		Planned Targets	
FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Target	Result and Rating	FY 2013	FY 2014
N/A	N/A	N/A	N/A	N/A	Baseline	91% (Baseline) New Indicator, No Rating	90%	90%
Impact		Baseline; N/A						
Methodology		Data will be determined by comparing the submission dates of reports and studies with the documented and negotiated timelines associated with them.						
Data Source and Quality		IJC records. The DQA revealed no significant data quality limitations.						

Justification of Request

The FY 2014 Request of \$7.7 million for the IJC reflects an increase of \$652,000 above the FY 2012 Actual level. This funding provides \$487,000 for a Lake Champlain-Richelieu River Study.

Lake Champlain-Richelieu River Study \$487,000

The U.S. and Canadian governments have asked the International Joint Commission to develop a Plan of Study to investigate the causes and impacts of flooding in the Lake Champlain-Richelieu River watershed, with emphasis on the record 2011 flooding, and make an evaluation of possible flood mitigation solutions. Initial planning indicates that the study could cost \$10-\$15 million over

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approximately five years. With the cost split between the U.S. and Canada, the U.S. Section cost could be \$5-\$7.5 million over the life of the project. The U.S. Section requests \$487,000 in FY 2014 to initiate the study.

Funds by Object Class

(\$ in thousands)

International Joint Commission (IJC)	FY 2012 Actual	FY 2013 CR	FY 2014 Request	Increase/Decrease From FY2012
1100 Personnel Compensation	2,056	2,177	2,238	182
1200 Personnel Benefits	445	476	496	51
2100 Travel & Trans of Persons	348	336	382	34
2300 Rents, Comm & Utilities	130	140	144	14
2400 Printing & Reproduction	11	15	15	4
2500 Other Services	3,984	3,865	4,342	358
2600 Supplies and Materials	34	41	42	8
3100 Personal Property	4	5	5	1
Total	7,012	7,055	7,664	652

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INTERNATIONAL BOUNDARY COMMISSION

Resource Summary

(\$ in thousands)

Appropriations	FY 2012 Actual	FY 2013 CR ⁽¹⁾	FY 2014 Request	Increase/Decrease From FY2012
Positions - Enduring	8	8	8	0
Enduring Funds	2,279	2,293	2,449	170

(1) The FY 2013 CR is based on the annualized continuing resolution calculation for FY 2013 (P.L. 112-175).

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’s strategic goal of Achieving Peace and Security. To achieve its mission the IBC has established a 15-year 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. This plan was adopted by the IBC in 2005 however only the Canadian section was funded to meet the requirements of the plan. The U.S. section was funded to the levels required by the plan in 2010. A new 15-year plan taking into account past and current funding levels is included in IBC’s 2010 annual report which is currently being translated by the Canadian section of the IBC.

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, and responsibilities end, and the other’s begin, thus virtually eliminating the potential for serious and costly boundary disputes. 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 (i.e., “vista”) from one boundary monument to the next along the entire 5,525 U.S.-Canadian mile boundary. Vista clearing is largely a manual process requiring the use of manual labor and heavy equipment and includes the use of helicopters to reach impassable mountainous areas. The IBC maintains more than 5,500 land boundary monuments and more than 2,800 reference monuments that 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 new 15-year maintenance plan addresses the necessity of continuous maintenance due to the deterioration and destruction of boundary monuments, brush, and timber overgrowth that obstruct the 20-foot wide vista. 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 Treaty mandates that the boundary be depicted with modern coordinates on modern charts. Geographic reference systems have changed since the boundary was established. Consequently, the IBC is continuing to re-survey the entire boundary; converting all geographic positions to currently used systems, and maintaining databases of this information.

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Performance

Each year a number of maintenance projects are planned and undertaken by the IBC that address a specified number of miles along the boundary that are inspected, cleared, surveyed, or in which monuments are repaired or replaced. The maintenance of the physical line itself is essential to meeting the IBC’s mandate under the Treaty.

Strategic Goal 3: Expand and sustain the ranks of prosperous, stable and democratic states by promoting effective, accountable, democratic governance; respect for human rights; sustainable, broad-based economic growth; and well-being								
Strategic Priority		Environment/Climate Change						
Active Performance Indicator		NEW APP INDICATOR: Percent of priority annual milestones completed as part of the 15-year maintenance plan						
Prior Year Results and Ratings					FY 2012		Planned Targets	
FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Target	Result and Rating	FY 2013	FY 2014
N/A	N/A	N/A	N/A	N/A	Baseline	100% (Baseline) New Indicator, No Rating	100%	100%
Impact		Baseline; N/A						
Methodology		‘Priority annual milestones’ are defined as annual milestones as part of the 15-year maintenance plan for which funding has been allocated and which are projected to be completed in that FY. Data will be determined by assigning a percentage of the total resources available to each project from the total resources available for all projects. At the end of the FY, each project will be evaluated and a completion percentage will be determined.						
Data Source and Quality		IBC records. The DQA reveals no significant quality limitations.						

Justification of Request

The FY 2014 Request of \$2.4 million will fund IBC’s operations and eight boundary maintenance projects, and provides \$1.2 million for administration. This level of funding reflects an increase of \$170,000 above the FY 2012 Actual and includes \$8,000 for American COLA. The Programmatic amounts below will be matched by reciprocal funding by IBC’s Canadian counterpart.

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Operations \$997,000 (an increase of \$107,000)

The FY 2014 Request of \$997,000 provides funding to maintain IBCs ongoing operations, including funding for salaries and benefits of the permanent staff of the IBC as well as their support costs. The support costs includes communications, supplies, rent and all travel by headquarters staff and non-field season travel undertaken by field officers for the Washington, DC office, and three field offices located in Great Falls, Montana, Thief River Falls, Minnesota and Houlton, Maine boundary maintenance projects.

Field Campaigns \$1,252,000 (an increase of \$49,000)

The request will fund the eight IBC boundary maintenance projects listed below.

- Surveying and Monumentation 141st Meridian (Alaska-Yukon) (400 miles): \$514,000 (*3rd year of 5-year project*)
- St Francis River Vista clearing and Monument Maintenance (Maine-New Brunswick) (75 miles): \$50,000
- Glacier Park Vista clearing (Montana-Alberta) (three miles): \$30,000
- Boundary Bay Range Tower Maintenance (Washington-British Columbia): \$25,000
- Foothills to W. Kootenay Vista Clearing 49th Parallel (Washington-British Columbia) (60 miles): \$320,000
- Rainey River Monumentation and Inspection (Minnesota-Ontario) (132 miles): \$82,000
- North Line Vista clearing (Maine-New Brunswick) (35 miles): \$140,000
- Monumentation and Inspection 49th Parallel (Montana/North Dakota-Saskatchewan/Manitoba) (300 miles): \$91,000

Mapping/ GIS Projects \$100,000 (a decrease of \$40,000)

The updating of all 256 Official Maps and the development of the GIS system is now complete. This cost will be required on a yearly basis to update maps as mandated by the Treaty every year, and to populate and maintain the GIS system on a yearly basis.

Equipment Life Cycle Replacement Program \$100,000 (an increase of \$54,000)

The request will purchase two ATV's and one pick-up truck, equipment for IBC's field offices. The IBC maintains six pick-up trucks, three large trucks, three tractors, two track machines and six ATV's. Pick-ups require replacement every 6-8 years, tractors and large trucks 10 years, track machines 20 years, and ATV's 3-4 years.

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Funds by Object Class

(\$ in thousands)

International Boundary Commission (IBC)	FY 2012 Actual	FY 2013 CR	FY 2014 Request	Increase/Decrease From FY2012
1100 Personnel Compensation	557	557	608	51
1200 Personnel Benefits	167	167	183	16
2100 Travel & Trans of Persons	94	94	101	7
2300 Rents, Comm & Utilities	83	83	91	8
2500 Other Services	1,281	1,295	1,359	78
2600 Supplies and Materials	51	51	56	5
3100 Personal Property	46	46	51	5
Total	2,279	2,293	2,449	170

BORDER ENVIRONMENT COOPERATION COMMISSION

Resource Summary

(\$ in thousands)

Appropriations	FY 2012 Actual	FY 2013 CR ⁽¹⁾	FY 2014 Request	Increase/Decrease From FY2012
Positions - Enduring	0	0	0	0
Enduring Funds	2,396	2,411	2,386	(10)

(1) The FY 2013 CR is based on the annualized continuing resolution calculation for FY 2013 (P.L. 112-175).

Program Description

The Border Environment Cooperation Commission (BECC) and the North American Development Bank (NADB) are international organizations created by the Governments of the United States and Mexico under a side agreement to the North American Free Trade Agreement (NAFTA), 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 is located in Ciudad Juarez, Chihuahua, Mexico.

The mission of the BECC is to work to preserve, protect, and enhance human health and the environment of the U.S.–Mexico border region, by 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 created to assist border communities in developing environmental infrastructure projects to meet certification requirements to be eligible to receive funding from the NADB, or other institutions. In 2012, the projects certified by the BECC will provide improved environmental and health benefits to over five million people along the Mexico - U.S. Border, including communities in Texas, Arizona, California, and New Mexico.

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

- With their concurrence, assist states and 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, selection of locations for projects based on technical considerations, 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.

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, BECC and NADB can respectively certify and finance all types of environmental infrastructure, although the Charter requires that preference be maintained for the following sectors: water pollution, wastewater treatment, water conservation, municipal solid waste,

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and related matters. The term “related matters” has been defined to include domestic hook-ups to water and wastewater systems, industrial and hazardous waste, and recycling and waste reduction. Other specific sectors eligible for BECC and NADB support include: air quality, clean and efficient energy, public transportation, municipal planning and development, energy transmission or distribution, renewable energy generation, international border crossings, production of goods and services designed to enhance or protect the environment, if the project also provides a net environmental benefit to the border region, and other infrastructure designed to minimize future negative environmental impacts in the border.

The work of BECC continues to support the Department of State’s strategic goals of promoting effective and accountable democratic governance, respect for human rights, and sustainable economic growth, through three of BECC’s programs or pillars: “Technical Assistance through Grants or Technical Expertise”, “Collaboration with other Stakeholders”, and “Institutional Capacity Building through Information and Training.” In order to set performance goals for the institution, an administrative tool called “Balanced Scorecard” (BSC) is used by BECC to monitor the fulfillment of strategic objectives, expenses, costs, productivity, customer satisfaction, internal processes, employee motivation, and training. The BECC’s BSC currently contains 12 strategic objectives and 63 performance indicators. In addition, the objectives of the BECC Quality Management System are also aligned with the objectives and indicators of the BSC. A new indicator has been added to measure the population benefitting each year from BECC-certified projects related to water and waste water treatment, solid waste management, air quality, water conservation, clean energy, and energy conservation that provide a significant impact in the border region.

BECC’s work is organized into four specific pillars or programs, and one transversal support program:

Project Certification

The primary purpose of the BECC is to support border communities and organizations to identify, develop, and achieve BECC certification for the purpose of accessing NADB funding to implement environmental infrastructure projects, in order to improve human health, promote sustainable development, and contribute to enhancing the quality of life in the border region.

Technical Assistance through Grants or Technical Expertise

The purpose of the Technical Assistance Program is to provide technical services through grants or technical expertise that will promote the development of high quality environmental infrastructure projects and initiatives which could access NADB funding, the Environmental Program Agency’s Border 2012 Program or other special grants.

Collaboration with other Stakeholders

Promote institutional relationships with Border stakeholders, including federal, state and local agencies, international organizations, academia, private sector and civil society, for the purpose of strengthening collaboration efforts that will support the BECC mandate. This activity is achieved through participation in forums, state and local initiatives, project/program coordination, consistent information exchange, and strategy development.

Institutional Capacity Building through Information and Training

Strengthen institutional capacities by generating information and providing training. The information generated through strategic studies is intended to identify needs, project opportunities, and improve the effectiveness of infrastructure program investments that could be supported by BECC and NADB. Capacity building is related to technical training needed to enhance sustainability of projects and address emerging issues.

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General Support and Performance Improvement Program

The purpose of this program is to facilitate the work conducted under all pillars described above. It includes the support provided by the Administrative Area and other support areas for activities such as: information resources with a compatible and standardized system; a results-based budget; education and training focused on BECC's programs or pillars, and administrative savings in general. It also includes other support and services such as accounting and budgetary control, human resources, building management, coordination, and general administration.

Performance

A healthy population living within a healthy environment is an imperative part of sustainable economic development. As more people benefit from BECC-certified projects, more people will come to enjoy a higher quality of life.

Strategic Goal 3: Expand and sustain the ranks of prosperous, stable and democratic states by promoting effective, accountable, democratic governance; respect for human rights; sustainable, broad-based economic growth; and well-being								
Strategic Priority		Environment/Climate Change						
Active Performance Indicator		NEW APP INDICATOR: Population (counted as number of people) benefitting each year from BECC-certified projects related to water and waste water treatment, solid waste management, air quality, water conservation, clean energy, and energy conservation.						
Prior Year Results and Ratings					FY 2012		Planned Targets	
FY 2007	FY 2008	FY 2009	FY 2010	FY 2011	Target	Result and Rating	FY 2013	FY 2014
N/A	N/A	N/A	N/A	N/A	Baseline	5.070 million New Indicator, No Rating	2.6 million	2.6 million
Impact		Baseline; N/A						
Methodology		Project applications include a sponsor-calculated estimate of the benefited population, which can fluctuate annually due to the type and quality of projects, and the city and sector covered. BECC reviews this estimate and adjusts it in accordance with technical design, project sector and defined outcomes. The Certification Proposal submitted to the BECC/NADB Board includes the official estimate on benefited population.						
Data Source and Quality		Certification document process. The DQA reveals no significant data quality limitations.						

BORDER ENVIRONMENT COOPERATION COMMISSION

Justification of Request

For FY 2014, the BECC Request is a total of \$2.4 million for its operating budget. The request reflects a decrease of \$10,000 below the FY 2012 Actual level. This level of funding will allow the BECC to continue supporting the Department of State in achieving its strategic goal of improving health and environmental conditions in the U.S. – Mexico border region.

Funds by Object Class

(\$ in thousands)

Border Environment Cooperation Commission (BECC)	FY 2012 Actual	FY 2013 CR	FY 2014 Request	Increase/Decrease From FY2012
1100 Personnel Compensation	1,204	1,325	1,367	163
1200 Personnel Benefits	301	379	345	44
2100 Travel & Trans of Persons	75	119	101	26
2300 Rents, Comm & Utilities	171	110	94	(77)
2500 Other Services	559	386	397	(162)
2600 Supplies and Materials	86	92	82	(4)
Total	2,396	2,411	2,386	(10)