

118TH CONGRESS
2D SESSION

S. 4253

To ensure that United States diplomats and officials of the U.S. Section of the International Boundary and Water Commission are able to advance efforts seeking compliance by the United Mexican States with the 1944 Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande.

IN THE SENATE OF THE UNITED STATES

MAY 2, 2024

Mr. CRUZ (for himself and Mr. CORNYN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To ensure that United States diplomats and officials of the U.S. Section of the International Boundary and Water Commission are able to advance efforts seeking compliance by the United Mexican States with the 1944 Treaty on Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress makes the following findings:

5 (1) Article 4 of the Treaty on Utilization of
6 Waters of the Colorado and Tijuana Rivers and of

1 the Rio Grande (the “Treaty”), signed in 1944 be-
2 tween the United States and the United Mexican
3 States (“Mexico”) requires Mexico to supply to the
4 United States an amount of water annually that
5 “shall not be less, as an average amount in cycles
6 of five consecutive years, than 350,000 acre-feet
7 (431,721,000 cubic meters)”.

8 (2) Irrigation water shortages in the Lower Rio
9 Grande Valley have persisted since the 1990s, and
10 Mexico has exacerbated those conditions by failing to
11 meet its Treaty obligations.

12 (3) Mexico is obligated to provide the United
13 States with 1,750,000 acre-feet of water by October
14 2025 for the five-year period beginning on October
15 2020, but as of March 2024 had delivered less than
16 400,000 acre-feet of water, a rate that forecloses the
17 possibility of compliance with the Treaty.

18 (4) A recent report by the Center for North
19 American Studies estimated that a complete lack of
20 irrigation water for crop production in the Lower
21 Rio Grande Valley in 2024 would result in
22 \$495,800,000 in direct revenue loss.

23 (5) In 2024, Texas’s only sugar mill, the Rio
24 Grande Valley Sugar Growers Mill, closed due to a
25 lack of water made available via the Treaty.

1 (6) The United States and Mexico have en-
2 gaged in negotiations over a Minute to the Treaty
3 to address Mexico's non-compliance, but as of May
4 1, 2024, the United States and Mexico have not
5 reached agreement on it.

6 **SEC. 2. ADVANCING EFFORTS SEEKING COMPLIANCE BY**
7 **MEXICO WITH TREATY ON UTILIZATION OF**
8 **WATERS OF THE COLORADO AND TIJUANA**
9 **RIVERS AND OF THE RIO GRANDE.**

10 The Secretary of State shall use the voice, vote, diplo-
11 matic capital, and resources of the United States to ensure
12 that United States diplomats and officials of the U.S. Sec-
13 tion of the International Boundary and Water Commission
14 are able to advance efforts seeking compliance by the
15 United Mexican States with the Treaty on Utilization of
16 Waters of the Colorado and Tijuana Rivers and of the Rio
17 Grande, signed at Washington February 3, 1944, and to
18 establish understandings to provide predictable and reli-
19 able future deliveries of water by the United Mexican
20 States.

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