

Congress of the United States
Washington, DC 20515

September 17, 2014

The Honorable Barack Obama
President
The White House
Washington, DC 20500

Dear Mr. President:

We write to voice our deep and continued concerns regarding the unacceptable water deficit accrued by Mexico under the 1944 Treaty authorizing water-sharing between our two nations for the Colorado River and the Rio Grande. We are frustrated by the lack of commitment from Mexico to regularly and predictably deliver water to the U.S. in a manner consistent with the requirements of the Treaty. The International Boundary and Water Commission (IBWC), charged with administering the Treaty and seeking technical solution to binational disputes, has not been successful in resolving this issue. We are approaching a critical juncture and feel strongly that the matter must be elevated from the IBWC to the highest levels of the United States Government in order to mitigate further harm to the U.S. and avoid detrimental impact to the relationship between our two countries.

As you know, the Treaty represents a joint commitment to manage and administer the waters of the Rio Grande and the Colorado River; specifically, it requires Mexico to deliver to the U.S. an annual minimum of 350,000 acre-feet per year over a five year cycle from the Rio Grande Basin. Despite pledged annual delivery obligations outlined in the signed agreement between our two nations, Mexico refuses to take the necessary action to improve compliance with the Treaty and avoid ending the current water cycle in a debt to the U.S.

An important first step to ensure delivery of water currently owed to the United States would be for Mexico to treat the U.S. as a user of water and set aside water specifically for treaty compliance. This would bring Mexico in line with current practice in the U.S. – our nation has never failed to meet our water delivery obligations to Mexico from the international waters of the Colorado River Basin, despite allowances under “extraordinary drought” conditions. In October, Mexico is expected to once again inform internal users of estimated water deliveries for the coming year. It is expected that Mexico will once again adopt an allocation process that ignores their treaty obligations and allocates 100% of the water in their reservoirs to internal users. It is indefensible that the United States provides, in effect, a guarantee to Mexico of minimum water deliveries from the Colorado River while we accept a lesser assurance for water owed to the U.S. from the Rio Grande under the same Treaty.

Mexico’s failure to deliver water in an equitable manner has caused and continues to cause undue hardship for the people of the State of Texas. A 2013 Texas A&M AgriLife study verified that a loss of irrigation water in the Lower Rio Grande Valley of Texas endangers 4,840 jobs and

reduces agricultural output by approximately \$395,000,000 annually. The lack of water also harms the ability of municipal users to supply water to families and businesses.

It is past time for the United States to bring the full weight of the federal government to bear on this matter. The U.S. Section of IBWC has worked diligently to address this situation, but counterparts within Mexico have not demonstrated a comparable willingness to negotiate in good faith. After numerous meetings between technical experts from both countries, it is clear that Mexico is not currently pursuing negotiations in a manner expected to yield more transparent and accountable deliveries of water to the U.S.

October marks two critical events for U.S. users impacted by the Treaty. Not only is Mexico expected to determine water allocations for the coming year, but the U.S. and Mexico will also enter the fifth and final year of the current water cycle. To end the cycle without debt to the U.S., Mexico would need to deliver in one year an amount of water nearly equal to the deliveries provided to the U.S. over the first three years of this cycle. This task only becomes increasingly difficult as both countries continue to allow the deficit of water to grow with each passing week.

Mexico's failure to recognize the United States as a user of our shared resources and their refusal to allocate water to the United States as part of their annual allocation requires a strong response. Neither country has an interest in repeating the mistakes of past cycles, where delayed engagement exacerbated the impact and impeded progress on other goals shared by the U.S. and Mexico. Meaningful and immediate participation by the U.S. Department of State and this Administration is critical to resolving this impasse. We strongly urge you to elevate further negotiations on this matter beyond the IBWC and toward direct engagement with the government of Mexico, and take all other necessary and appropriate action to secure a lasting commitment from Mexico to resolve the current deficit without delay and reach a permanent agreement that better reflects a shared responsibility to U.S. water users.

Sincerely,

John Cornyn
7-18

K-11 TX-11

Pete H. King
John Cornyn

Feb 11 TX-34

Rubin Hinojosa

Sheldon Whitehouse
Henry A. Waxman

Blake Farentoid

Beto O'Rourke.

Joaquin Castro

M. V. - TX33

DeSantis

Randy Nease

John Culberson TX17

Michel Mi'kal

Ronie Schwert

John Deversaling

Lamar Smith

Mac Gandy

~~XXXXXXXXXX~~

My Name

Stacy Dwyer

Eddie Bernice Johnson

Ben Fourn

Randy K. Walker TX 14

Walt TX-29

K. E. W. - BRADY
Ray Langer

Lois Williams

Sam Johnson

Ralph M. Hall

Peter Johnson

John Brown (M)