

119TH CONGRESS
1ST SESSION

S. _____

To limit engagement with the Government of Mexico unless Mexico provides water to the United States pursuant to its obligations under the Treaty relating to the Utilization of Waters of the Colorado and Tijuana Rivers and of the Rio Grande.

IN THE SENATE OF THE UNITED STATES

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

A BILL

To limit engagement with the Government of Mexico unless Mexico provides water to the United States pursuant to its obligations under the Treaty relating to the 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. SHORT TITLE.**

4 This Act may be cited as the “Ensuring Predictable
5 and Reliable Water Deliveries Act of 2025”.

1 **SEC. 2. LIMITATION ON ENGAGEMENT WITH MEXICO UNTIL**
2 **MEXICO PROVIDES WATER PURSUANT TO**
3 **TREATY OBLIGATIONS.**

4 (a) REPORT REQUIRED.—

5 (1) IN GENERAL.—Not later than 180 days
6 after the date of the enactment of this Act, and an-
7 nually thereafter, the Secretary of State shall submit
8 to the appropriate committees of Congress a report
9 regarding deliveries of water by Mexico pursuant to
10 the Treaty relating to the Utilization of Waters of
11 the Colorado and Tijuana Rivers and of the Rio
12 Grande, signed at Washington February 3, 1944 (9
13 Bevans 1166), between the United States and Mex-
14 ico (in this section referred to as the “Treaty”).

15 (2) ELEMENTS.—The report required by para-
16 graph (1) shall include—

17 (A) a determination of whether Mexico
18 has, during the calendar year preceding the
19 submission of the report, delivered to the
20 United States a minimum of 350,000 acre-feet
21 of water;

22 (B) an assessment of Mexico’s capabilities
23 for delivering 1,750,000 acre-feet of water by
24 the final year of the five-year cycle described in
25 the Treaty; and

1 (C) an identification of significant eco-
2 nomic sectors or activities in Mexico that are
3 situated in, or substantially dependent upon, ir-
4 rigation districts that benefit from—

5 (i) water delivered to Mexico by the
6 United States; or

7 (ii) the 6 tributaries of the Rio
8 Grande from which Mexico is obligated to
9 deliver water pursuant to the Treaty.

10 (b) LIMITATION ON ENGAGEMENT.—

11 (1) IN GENERAL.—If, in a report required by
12 subsection (a), the Secretary makes a negative deter-
13 mination under paragraph (2)(A) of that subsection,
14 the President—

15 (A) shall deny all non-Treaty requests by
16 Mexico; and

17 (B) may limit or terminate engagement
18 with the Government of Mexico related to the
19 sectors or activities in Mexico identified under
20 subsection (a)(2)(C), other than engagement to
21 counter the flow of fentanyl, fentanyl precur-
22 sors, xylazine, and other synthetic drugs into
23 the United States.

24 (2) EXCEPTION.—The limitation described in
25 paragraph (1)(A) shall not apply to a non-Treaty re-

1 quest by Mexico if the Secretary submits to the ap-
2 propriate committees of Congress, not later than
3 120 days after the submission of the report de-
4 scribed in paragraph (1), and every 120 days there-
5 after, a certification that—

6 (A) the water delivered through such chan-
7 nels—

8 (i) will be used exclusively to address
9 an ongoing ecological, environmental, or
10 humanitarian emergency; and

11 (ii) will not be used for—

12 (I) municipal purposes;

13 (II) industrial purposes;

14 (III) normal water supply needs;

15 (IV) water infrastructure defi-
16 ciencies; or

17 (V) maintenance work; and

18 (B) fulfilling the request is vital to the na-
19 tional interests of the United States.

20 (c) DEFINITIONS.—In this section:

21 (1) APPROPRIATE COMMITTEES OF CON-
22 GRESS.—The term “appropriate committees of Con-
23 gress” means—

24 (A) the Committee on Foreign Relations of
25 the Senate; and

1 (B) the Committee on Foreign Affairs of
2 the House of Representatives.

3 (2) NON-TREATY REQUEST.—The term “non-
4 Treaty request” means an emergency request for
5 special delivery channels for the delivery of water
6 made pursuant to any current or future Minute of
7 the International Boundary and Water Commission
8 based on the principles established in Commission
9 Minute No. 240, entitled “Emergency Deliveries of
10 Colorado River Waters for Use in Tijuana”, dated
11 June 13, 1972, as subsequently amended and ex-
12 tended, most recently by Commission Minute No.
13 327, entitled “Emergency Deliveries of Colorado
14 River Waters For Use In the City of Tijuana, Baja
15 California”, dated January 28, 2022.