

**AMENDMENT TO RULES COMM. PRINT 119–8**  
**OFFERED BY MS. DE LA CRUZ OF TEXAS**

At the end of subtitle B of title XVII, add the following:

1 **SEC. 17\_\_ . LIMITATION ON ENGAGEMENT WITH MEXICO**  
2 **UNTIL MEXICO PROVIDES WATER PURSUANT**  
3 **TO 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

1 submission of the report, delivered to the  
2 United States 350,000 acre-feet of water;

3 (B) an assessment of Mexico's capabilities  
4 for delivering 1,750,000 acre-feet of water by  
5 the final year of the five-year cycle described in  
6 the Treaty within which the previous calendar  
7 year fell; and

8 (C) an identification of significant eco-  
9 nomic sectors or activities in Mexico that are  
10 situated in, or substantially dependent upon, ir-  
11 rigation districts that benefit from—

12 (i) water delivered to Mexico by the  
13 United States; or

14 (ii) the 6 tributaries of the Rio  
15 Grande from which Mexico is obligated to  
16 deliver water pursuant to the Treaty.

17 (b) LIMITATION ON ENGAGEMENT.—

18 (1) IN GENERAL.—If, in a report required by  
19 subsection (a), the Secretary makes a negative deter-  
20 mination under paragraph (2)(A) of that subsection,  
21 the President—

22 (A) shall deny all non-Treaty requests by  
23 Mexico; and

24 (B) may limit or terminate engagement  
25 with the Government of Mexico related to the

1 sectors or activities in Mexico identified under  
2 subsection (a)(2)(C), other than engagement to  
3 counter the flow of fentanyl, fentanyl precur-  
4 sors, xylazine, and other synthetic drugs into  
5 the United States.

6 (2) EXCEPTION.—The limitation described in  
7 paragraph (1)(A) shall not apply to a non-Treaty re-  
8 quest by Mexico if the Secretary submits to the ap-  
9 propriate committees of Congress, not later than  
10 120 days after the submission of the report de-  
11 scribed in paragraph (1), and every 120 days there-  
12 after, a certification that—

13 (A) the water delivered through such chan-  
14 nels—

15 (i) will be used exclusively to address  
16 an ongoing ecological, environmental, or  
17 humanitarian emergency; and

18 (ii) will not be used for—

19 (I) municipal purposes;

20 (II) industrial purposes;

21 (III) normal water supply needs;

22 (IV) water infrastructure defi-  
23 ciencies; or

24 (V) maintenance work; and

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

3 (c) DEFINITIONS.—In this section:

4 (1) APPROPRIATE COMMITTEES OF CON-  
5 GRESS.—The term “appropriate committees of Con-  
6 gress” means—

7 (A) the Committee on Foreign Relations of  
8 the Senate; and

9 (B) the Committee on Foreign Affairs of  
10 the House of Representatives.

11 (2) NON-TREATY REQUEST.—The term “non-  
12 Treaty request” means an emergency request for  
13 special delivery channels for the delivery of water  
14 made pursuant to any current or future Minute of  
15 the International Boundary and Water Commission  
16 based on the principles established in Commission  
17 Minute No. 240, entitled “Emergency Deliveries of  
18 Colorado River Waters for Use in Tijuana”, dated  
19 June 13, 1972, as subsequently amended and ex-  
20 tended, most recently by Commission Minute No.  
21 327, entitled “Emergency Deliveries of Colorado  
22 River Waters For Use In the City of Tijuana, Baja  
23 California”, dated January 28, 2022.

