

Congress of the United States
Washington, DC 20510

January 14, 2025

The Honorable Marco Rubio
Nominee for Secretary of State
United States Senate
284 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Rubio:

We are writing to draw your attention to the 1944 Water Treaty between the United States and Mexico, which is vital for ensuring equitable water distribution along the Rio Grande and for supporting the agricultural, municipal, and industrial needs of both countries.

Under this treaty, Mexico must deliver 1,750,000 acre-feet of water during each five-year cycle to supplement the Rio Grande's water supply. While that obligation amounts to an annual average of 350,000 acre-feet of water, Mexico has failed to uphold the spirit of the Treaty: As of November 2024, Mexico is over a million acre-feet in arrears for the current five-year cycle, despite the cycle being more than 80% complete. Unfortunately, without consistent deliveries, water shortages significantly impact agricultural stakeholders in South Texas, greatly straining Texas farmers and ranchers and jeopardizing their livelihoods and economic stability.

Dr. Maria Giner, Commissioner of the International Boundary and Water Commission (IBWC), recently negotiated a "Minute" with Mexico aimed at addressing these ongoing challenges. The Minute includes measures such as accelerated water ownership transfers from Mexico to the United States within the Amistad and Falcon Reservoirs, the issuance of water "credits" from the United States to Mexico to incentivize early water deliveries, and Mexico providing water from the San Juan and Alamo Rivers to cover its Treaty shortfalls. While these revisions are a step forward, they do not guarantee timely, reliable and consistent compliance with the Treaty, and so the risk of water shortages for Americans remains.

As the nominee for Secretary of State, your leadership can critically reinforce the importance that Mexico provides consistent water deliveries pursuant to the Treaty. We request a renewed effort to negotiate fair provisions guaranteeing Mexico provide annual water deliveries, similar to the annual deliveries required by America to Mexico in the same Treaty. An increased focus on monitoring and regular reporting, as well as stronger accountability mechanisms, such as the withholding of certain forms of aid to Mexico, may provide sufficient leverage to achieve our objectives and protect the interest of our citizens along the border.

Thank you for your attention on this issue, and we look forward to your leadership in addressing this vital matter.

Sincerely,



JOHN CORNYN
United States Senator



TED CRUZ
United States Senator



MONICA DE LA CRUZ
Member of Congress



HENRY CUELLAR
Member of Congress



TONY GONZALES
Member of Congress



VICENTE GONZALEZ
Member of Congress